
MINUTES OF THE PROCEEDINGS
OF
THE COUNCIL

OF THE
CITY OF PITTSBURGH
FOR THE YEAR
1999

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THE UNIVERSITY OF CHICAGO

1961

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Which was read.

Also,

Bill No. 1608:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Neighborhood Street Improvements Program and the Rehabilitation/ Replacement of the S. 10th St. and S. 15th St. Pedestrian Bridges; providing for a Cooperation Agreement with the Pittsburgh Parking Authority; and providing for the payment of the costs not to exceed \$944,600.00.

Which was read.

Also,

Bill No. 1609:

Resolution providing for an Agreement or Agreements, or use of existing Agreements for Construction Inspection Services on various City projects; and providing for the payment of the costs not to exceed \$150,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and has passed finally.

Mr. Hertzberg:

Mr. President I also want to register on all bills other than Bill 882 -- a no vote on Bill 882 and 1511 a no vote on 1511. All other aye.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Udin:

On the previous ordinance I want to move to suspend the rules in order to submit this ordinance on the referendum issue before Council today and also move to waive Rule 8 so that it can be brought up and discussed tomorrow. And I would further include in that motion that we recess today's meeting so that final action can be taken on this ordinance tomorrow.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

I have two amendments. We have three public hearings this week, Wednesday at two o'clock concerning conditional use. Public Hearing Thursday at ten a.m. resolution concerning East Carson Street and also a Public Hearing Thursday afternoon at two o'clock zoning code amendments.

Mr. Ricciardi:

Motion to cablecast the Southside historic designation expansion.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I believe there is a, Ms. Johnson-Wasler if you can verify, I have scheduled a Post Agenda for June 4th. I want to verify because I need to make a motion to cablecast. I will do it now. I would like to make a motion to cablecast three Post Agenda for the general public. One Thursday, June 10 at 2:00 p.m. regarding predatory lending practices especially as it deals with real estate.

Tuesday, June 15th at two o'clock for discussion it would be like a dog and pony show but it is something for the general public to make it so much simpler to understand the URA loan and grant assistance programs for home

improvements. So people can have a clearer understanding of that.

Third one is Tuesday, June 22, at 2 o'clock p.m. to discuss URA financial assistance for home mortgages and to make that clearer for the general public.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

The hour is late and I know tension in the room is high giving the frustration of the vote just now. But I don't want to discuss it at length but I think the Mayor and Chief of Police owe this Council and the public an explanation as to what happened and transpired the other day in Judge Cashman's courtroom.

I have spoken to the Judge at length, I am very displeased as to what happened in that courtroom regarding a drug arrest and an attempt by a lawyer representing in this case his client, to have right to review evidence and information. I believe that there was a strong case. I believe likely that the individual would have been fully prosecuted for the receipt of a major amount of drugs but because of procedure, because of internal lack of esprit de corps let alone following of procedures in the police bureau, we had a major boondoggle.

I was embarrassed by the incident on behalf of the city and Police Bureau. I think we are owed a formal explanation as to what happened and what went wrong? Why is it that the District Attorney can subpoena information only to have the

City Police Department ignore the subpoena to supply the evidence that was requested? Why do we have to make a good judge, a criminal judge like Judge Cashman irate?

I think he did the right thing in this case. Albeit I am not happy with the outcome but you know is this typical? What is going on now? We are owed some type of written explanation. I would ask that they supply that to this Council. I think they should meet with the Law Department. Maybe I am alone on this, but I am very displeased as to what transpired the other day in a court of law and I think Judge Cashman had no other option to do what he had to do. But that is a pretty sad commentary and I really think the thing should be reviewed by the US Attorney's Office or Mike Fisher's Office because I don't understand what happened.

I know the details, but I don't understand why all of a sudden it is all hush. It is typical of the way things operate around here. Things happen we never get an explanation, we have yet, I have never yet heard from two years ago what happened on the missing drugs and whether or not there were any reprimands. Maybe other colleagues got information but that seemed to have been wiped under the carpet also. I was embarrassed for the City Police Department the other day in the court of law. I think we are owed an explanation.

I would like to formerly ask that we ask the Mayor and the Chief of police to formerly communicate to this Council in writing as to what transpired in Judge Cashman's courtroom and what went wrong, what went right? How do we make a redress of the grievance there?

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Cohen:

Discussion. I agree with Councilman Ferlo's concerns and what concerned me as well at least reading the newspaper accounts is the question of the handling and security of files. That is a broad policy issue and I have some questions now as to whether files are being kept in a secure way. Because it appears at least from the newspaper points that is not the case at least with respect to that case before Judge Cashman.

So, I would hope that our communication would include that issue and making sure that the files there are kept secure.

Mr. Ferlo:

I would like to hear from the District Attorney. I don't understand how he can subpoena records to have a municipal police force ignore a subpoena. Maybe I am not a lawyer but I don't understand how you even do that? I don't understand how you ignore a subpoena for evidence. Maybe my colleagues can help me out on that, the three lawyers that are here. But I don't know how the District Attorney can subpoena something and after three and a half months of not getting anything, have that debacle that happened in Judge Cashman's courtroom. I am completely perplexed about that.

The Chair:

Request it in writing then if need

be maybe we could follow it -- if you are not satisfied maybe we should follow it up with a post agenda and see what is going on.

Mr. Ferlo:

Thank you. Thanks.

The Chair:

Motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to recess the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting recessed.

UNFINISHED BUSINESS

(Reconvened Legislative Meeting of May 25, 1999)

Ms. McDonald (Pres't Pro Tem):

Council President Bob O'Connor had to leave. He asked me to reconvene the legislative meeting that was recessed from yesterday in order to vote on Bill 1675 as a final vote.

Would the Clerk please read the title of the bill?

MR. UDIN PRESENTED:

Bill No. 1676:

Report of the Committee on Finance and Budget for May 25, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1675:

Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend the Home Rule Charter to add Article 9: Pittsburgh Works, by requiring a certain percentage of all project work hours on certain City of Pittsburgh construction contracts to be performed by City of Pittsburgh residents, and providing for enforcement, due process, and penalties for violations.

Which was read.

The Chair:

Thank you. You have heard the reading and title of the bills, is there any further discussion on the bill?

Mr. Ferlo:

Yes since I was not able to say it earlier, I do want to at least report by way of information that I had spoken to the leadership of the building construction trade unions who said they would be willing to meet with Council and the Mayor in public session for discussion on various issues we would like to talk about. I specifically wanted to revisit the issue of

recruitment and the like. But on this bill, I am going to support putting it on the ballot.

Mr. Udin:

Thank you. Yes I want to just bring forward my comments into the record from the previous discussion that we had in the Standing Committee Meeting. And to say to the voters that what is being voted on in this bill is actually a question of democracy as to whether or not this Council will allow the voters of this city to decide whether or not they should get a fair opportunity for construction employment in the economic boom that is occurring in this city. And some members of Council because they are opposed to the content of the bill would also deprive you of the opportunity to vote on the bill by the denying this bill being put on referendum. But that will not be sufficient to keep us from making sure that Pittsburghers get go fair opportunity to participate in the market place in this city.

I expect this bill will be voted down and when it is we will immediately commence our gearing up a petition drive to get the signatures of qualified voters on the petition. We encourage everyone who wants to help especially black and white Pittsburghers together who want to help on this referendum to contact my office. We will utilize your services to make sure that fairness and democracy is the order of the day and not backroom politics.

(See Addendum for Comments)

The Chair:

Thank you. Is there any further

discussion on Bill 1675? Councilman Onorato has arrived for this final vote.

If not the bill is ready for final action. All in favor of the passage of the bill vote aye when your names are called; all those opposed will vote no.

Will the Clerk, please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Ferlo	Mr. Udin
	Ms. McDonald
	(Pres't Pro Tem)

NOES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	

AYES Three NOES Five

The bill not having received the legally required number of votes is defeated.

The Chair:

That completes our order of business for this recessed Legislative meeting. There is no further discussion, motion to adjourn.

MR. UDIN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Udin, the meeting adjourned.

ADDENDUM

Mr. Udin's comments on Bill 1675
can be found in the Standing Committee
Meeting minutes of May 25, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, June 1, 1999

PRESENT:

Mr. Diven	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. O'Connor (Pres't)

ABSENT:

Mr. Cohen

The Chair:

All please rise for the Pledge of Allegiance of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest, Katie Packler from the fourth grade at Community Day School. She is here with

her father, Mitchell and she likes basketball, and her favorite subject is English and she lives in my Council District.

Katie Packler:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you Katie, here we have a gift for you for doing such a good job.

PRESENTATIONS

Could the members of the Yeshiva School please come up. We are very honored in Pittsburgh to have Yeshiva School with us. We have the principal, Bat Sheva Deren, we have Anit Pelled, Tehila Rosenberg and we have Rabbi Rosenblum and his father Rabbi Rosenblum and Jake Pelled my brother-in-law who is bashful, come on up Jake.

Actually Yeshiva has received a national honor and you heard me mention the outstanding work they do in our community. They have two schools, a boy school and a girl school, and they are just a tremendous asset to our community. I will read the proclamation and let you speak on the exciting events not only that just happened but we're going to go to

Washington and it is quite an honor.

**MR. O'CONNOR AND MR. COHEN
PRESENT:**

No. 1677 WHEREAS, Yeshiva Schools has been selected as a 1999 Blue Ribbon School by the United States Department of Education; and,

WHEREAS, the Blue Ribbon, the most prestigious education award in the country, distinguishes Yeshiva Schools for its excellence in leadership, teaching, curriculum, student achievement, parent involvement and community support; and,

WHEREAS, schools are selected for recognition prepared an extensive written nomination package representing a thorough self-evaluation and involved assessing the strengths and weaknesses of the school while developing improvement plans for the future; and,

WHEREAS, the Blue Ribbon Award represents a great honor for the students, teachers, staff members, and parents of Yeshiva Schools; and,

WHEREAS, the Department of Education looks for overall school quality, including challenging standards and curriculum, excellent teaching, ongoing professional development, a safe and supportive school environment, family and community partnerships that contribute to school quality and high or improving student performance on measures of achievement; and,

WHEREAS, the Department of Education cited Yeshiva Schools for its emphasis on secular education combined with a quality of religious values; and,

WHEREAS, Yeshiva Schools was one of 45 private schools and 221 public schools selected this year from a pool of 5000 schools across the nation; and,

WHEREAS, Yeshiva Schools is the only school in the Pittsburgh area to receive the Blue Ribbon Award this year.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Yeshiva Schools on receiving the Blue Ribbon Award; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

MR. RICCIARDI moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Rabbi, you want to do the honors first.

Rabbi Rosenblum:

I am sort of an old timer, one of the more senior teachers in Yeshiva, principal. I came in January 2, 1961. We didn't own a building of our own. The building which we have now on Whiteman Street was only a little house and we used the Chartiers Synagogue and then I watched us grow. At that time we didn't have a ditto machine, didn't have a copy machine, we have grown into copy machines and into computers and we have grown and

professionalized and adapted all the latest things in education until we have grown into what we are now.

The only thing that hasn't changed is our principles. Our warmth, our morality chains and what to believe in. This is still as old as anything it never changed and this is what we still educate our students with. And to the point where our growth and we have modernized we were able to gain from being modern, but we have not modernized the old, moral teachings and principles. And we hope to keep on growing and our student body, which grew tremendously keeps on growing and up to future awards God willing.

The Chair:

Anite, you want tell us about the school.

Anite Pellet:

Excuse our voices, we just came back from a really fun overnight at Conneaut Lake.

Our teachers care for us, they are truly dedicated and they really want us to succeed and help us to do so.

Speaker: Child

We learn that God created each and everyone of us to fulfill our potential. At Yeshiva we practice our values in every aspect of our lives.

Ms. Darrin:

Our students are our (inaudible). We don't need to add anything else.

The Chair:

I understand you are going to go to Washington, DC to receive this? We're all very proud of you and congratulations again.

Mr. Ferlo:

Thank you, Mr. President. I would like the representatives from the East Liberty Lodge No. 725 of the Free and Accepted Masons to come forward. I am going to put Aggie Brose on the spot here from the Bloomfield Garfield Corporation and ask her to come up and receive a check. The weekend scheduling I failed to get the Garfield Youth Football rep here, Bob Jones was going to try to make it. I don't know if there is anyone else in the audience representing Garfield Youth Football if there is you can please come forward.

To my left is Nick DeCimmuto, the worshipful master of the East Liberty Lodge 725 of the Free and Accepted Masons and good friend John Morgan who is also an officer. And this gentleman needs little introduction since he works so hard throughout the length and stretch of Allegheny County running for Judge, Court of Common Pleas, the Honorable Frank Salpiegro, and he is going to do well I hope the next time out.

I would like to read the following proclamation and certainly Aggie Brose from the Bloomfield Garfield Corporation who is no stranger to these chambers and I am sure we will wait with abated breath to hear her words very shortly after this proclamation about other issues also.

MR. FERLO PRESENTS:

No. 1678 WHEREAS, East Liberty Lodge #725 of the Free & Accepted Masons has been in existence for over seventy-five years; and

WHEREAS, in keeping with the national Free Mason credo of "Brotherly Love, Truth and Relief" Free Masonry in the United States gives over one million dollars a day to deserving charities; and

WHEREAS, the Grand Lodge of Pennsylvania through their successful Matching Funds Program donates funding in the form of grants to important community building programs state-wide that reflect the Pennsylvania Free Masons commitment to "Faith, Family, Fraternity and Community"; and

WHEREAS, Garfield Youth Football, a neighborhood based athletic organization, is committed to the strengthening of the bodies, hearts, minds and spirits of the children of Garfield through their good work with the young boys and men in their football program and the young women and girls who participate in their cheerleading program; and

WHEREAS, Garfield Youth Football, as part of an ongoing attempt to improve both facilities and recreational programming, is currently raising funds to construct a new concession stand and install a scoreboard at their home field of Fort Pitt Field; and

WHEREAS, the Free & Accepted Masons East Liberty Lodge and the Grand Lodge of Pennsylvania have teamed up to generously donate one thousand dollars towards the effort being put forth by the

men, women and children who make up Garfield Youth Football;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank the officers and members of the East Liberty Lodge and Pennsylvania's Grand Lodge of the Free & Accepted Masons for their generous and gracious support of the community of Garfield; and

BE IT FURTHER RESOLVED, that the Council wishes to extend special thanks to Worshipful Master Nicholas F. DelCimmuto and the officers and members of East Liberty Lodge #725 for their efforts, energy and undying dedication to the principles upon which the Free & Accepted Masons were founded nearly three hundred years ago.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. We have some extra proclamations here. The three gentlemen to my left I have had the privilege of working with over a good number of years and certainly Aggie Brose also from the Bloomfield Garfield Corporation. About six or seven years ago I started I am sure with my colleagues also in their own respective Council Districts in a building program. This is a building program to build and construct so-called concession stands. These are buildings basically where youth sports groups can generate

income as a result of the sales of pop and snacks and you name it and that money obviously goes into fund the plethora of programs that are out there at the neighborhood level. We don't give a lot of money directly to these many of these sports teams.

There is a tremendous amount of parental involvement and volunteer effort. There is money that is needed to buy uniforms and football is a more expensive sport than soccer. So it is a tremendous effort and it is even more of an effort for a community like Garfield who has a smaller business district it is harder to raise money, it is just more of a struggle quite honestly.

The concession stands are important and one thing that we have done in the City of Pittsburgh is we build these concession stands with handicap accessible bathrooms, male and female bathrooms that certainly raises significantly the cost. But we have hundreds of beautiful fields around the city and unfortunately many of those fields there aren't even bathrooms or rec centers.

Six years ago I started an effort at least in my Council District, I have successfully worked with countless youth groups and volunteers from various neighborhood sporting teams. We have built a concession bathroom facility at Leslie Park in Lawrenceville in the 9th Ward of 57th Street in the 10th Ward at Arpo field that's been completed at Dinan Field in Stanton Heights behind Sunnyside School. That building has now been completed. A very beautiful building was built with Pepsi outdoor score board and handicap bathrooms at Sullivan Field, St. Johns Field, in the Lawrenceville

Bloomfield community. And right now as I speak, right now workers are currently building a new concession stand and handicap bathrooms at Deans Field below the Bloomfield Bridge in the heart of the Bloomfield. It is a project that will start very soon as a result of the good work of the Garfield Gator Youth Football organization.

The Bloomfield Garfield Corporation is the construction of a major concession stand, actually it's going to be a two-story concession stand with bathrooms and they're going to throw in a kitchen also, but it is a little bit more elaborate construction project. It's going to be built on a city field known as Fort Pitt Field next to famous the school on the hill, Fort Pitt School.

So it is a great project and I want to thank Councilman O'Connor's Office he probably doesn't even know that he came to me a few days before Christmas a couple years ago with a deadline about some foundation grant that could be submitted. But that there was only a couple of days left, did I have the energy? Well I didn't have the energy so I took it to Rich Schwartz and I turned to Rick Schwartz and as a result we were able to submit a grant very quickly to the NFL Community Football Fields Program and we did receive a \$39,000 grant.

So I want to thank the NFL Program and the Liss Foundation for their cooperation. I want to thank Councilman O'Connor's office and his staff person for bringing the memo over to me which I quickly took advantage of and I want to thank Rick Schwartz for helping us write the grant and leading the grant effort. We matched it with 15 or 17,000 of Community Development Block Grant but

this one thousand dollars is extremely important because it is needed to do some of the things that we are just not able to pay for as a result of the city construction limitations. So it's going to be a great project.

And I want to thank the Free Masons Organization, the East Liberty Lodge 725 for not only their tremendous contribution but because we need their financial support. I hope that they can adopt us in the future and maybe we will get in on that million dollar day funding stream and maybe there will be some other grants coming up in the future.

But maybe Aggie could say a few words, but I do want to thank Bob Jones and the others from the Garfield Youth Football. This has been a tremendous community initiative. You see on any given weekend several hundred youth from the Garfield East Liberty Community meeting not on gang turf but meeting on the field. It is a wonderful experience. It has been a great opportunity for young men in particular in the community, young parents to get involved with their kids. It really has just been a tremendous asset to the Garfield Community and I am very proud to be just a small part of it with the construction of the football concession stand.

At this time, I would like to ask our good friend Nick DelCimmuto to say a few words on behalf of the organization he represents. And if he could be so kind as to present a check and rather than present it to me because I don't touch money, I owe Morgans over there I let him handle all of my money. But in this case we are going to let Aggie Brose from the Bloomfield Garfield Corporation say a few

words following you, Nick, and you can present the check directly to BBC. Thank you very much and here is your proclamation and some extra copies.

Mr. DelCimmuto:

I bet you never thought you would see me hear. I used to work for Bob that was a long time ago.

Esteemed members of the City Council, representatives of Garfield Youth Football Organization and citizens present, it is indeed my honor and pleasure as Master of East Liberty Lodge Number 725 Free and Accepted Masons to present this check to the Garfield Youth Football organization for their use towards the construction of a refreshment stand.

As it is our desire to help one another, the Masonic Fraternity also strides to lead by example and practice. We extend a helping hand to those who are in need by doing this. The world will see how we as Free Masons love one another and desire to do good unto others. This program is of special interest to me because of the basic skills I learned while playing football not far from this section of town. I learned of team work and selfishness, of commemorative and individual accomplishment, although I did not become a professional athlete, lessons of cooperation and synergy are carried with me even to this day.

Being involved with a Masonic Youth Organization, I realize the importance of setting proper goals and attitudes with the children of today. Let us face reality. There are many more bad examples and influences available then when we were young. Too many times we

hear of kids gone bad, selling and using drugs, robbing and stealing and killing. All those these things happened years ago the frequency of the occurrences today is alarming. Children want to belong. If it is not with us as responsible adults, it will be with gangs in their dwells that will give them that feeling of belonging. It is to this end that we as leaders in the community have to stop looking towards others to solve the problems. We must do what we can to encourage the youth of today, to follow the good example we set, to steer away from bad influences and to encourage them to look within themselves to be the best that they can be.

Only by our example can we expect to influence our youth to do good, work hard, play hard, pray hard and reap the benefits of proper living. Again, I thank you for the opportunity to participate in assisting an outstanding organization. It is dedicated volunteers like you who are changing the outlook of the future from one of despair to one of hope. Thank you very much.

Ms. Brose:

Good morning Council and officers and members of the lodge, on behalf of the Bloomfield Garfield Corporation and the Garfield Youth, I want to thank you from the bottom of my heart for believing and investing in our youth. That's what is needed. But the true heroes of the day are the volunteers that run the program. And they are true volunteers. Garth Taylor, and Bob Jones all they ask from the Bloomfield Garfield Corporation is some technical assistance and that is why we exist.

But they need people like you to

invest in them. All of this takes money and thanks to our Councilman that we were not overlooked. For a change we get the same kind of investment that any other neighborhood has. He just has dedicated a playground to our neighborhood, the first in its history and also the fact that now we have a concession stand that will help make our team more self-sufficient. So I can't sum up the words to thank you. I think you understand how important it is that the kids in Garfield have the same opportunities as any other child. So I thank you very much. Thank you.

Mr. Ferlo:

I would like to ask our friends -- Frank, do you want to say a few words? I do want to thank also the directors of both Public Works and Engineering and Construction as well as the division staff. Many of these concession stands -- part of the way of lowering the construction cost is for the in-house work crews of Public Works and Engineering and Construction to help and they helped design the buildings so that they are safe and that follow the building code. And Public Works often times will help lay the water and sewer lines to kind of help lower the costs.

I really want to thank the employees and staff of the Public Works Department and Engineering and Construction Department for their good work and design in assisting in the construction of these facilities. Thank you.

The Chair:

Thank you.

Mr. Hertzberg:

This is a resolution honoring the 1999 Toyota Mario Lemieux Celebrity Invitational Golf Outing and that is mainly what you hear about are all the celebrities that come and play in it. There is a lot of television coverage. It is a big deal. It brings in a lot of people but I think we need to remember the main purpose of this event is for the Mario Lemieux Foundation. It is a charity and it is one that has done a lot of good things.

And before I read the resolution I would like to remind our President that this is only for real golfers and real celebrities. Others have other rules. We will read the resolution.

MR. HERTZBERG PRESENTS:

No. 1679 WHEREAS, Mario Lemieux was selected as the first overall draft choice in 1984 in the National Hockey League by the Pittsburgh Penguins; and

WHEREAS, Mario Lemieux's accomplishments as a professional hockey player for the Pittsburgh Penguins from 1984 through 1997 are well known; and

WHEREAS, during the middle of the hockey season in 1993, Mario Lemieux was diagnosed with Hodgkin's disease, received radiation treatments, overcame the illness, and then returned to play for the Penguins and won the NHL Scoring title and was named the League's most valuable player; and

WHEREAS, in 1993 Mario Lemieux created the " Mario Lemieux

Foundation " to help others not as fortunate as himself; and

WHEREAS, the Mario Lemieux Foundation has received charitable contributions and awarded grants for cancer research, victims of the Oklahoma City tragedy and Neonatology and Developmental Biology Research; and

WHEREAS, the annual Toyota Mario Lemieux Celebrity golf tournament is the major fundraiser for the Foundation; and

WHEREAS, under the direction of Foundation Executive Director Tom Grealish, this year's Celebrity golf tournament will be held from June 10 through June 13, 1999 at the Club at Nevillewood; and

WHEREAS, spectators are welcome to all four days of events and Nevillewood's rolling hills serve as a natural amphitheater for spectators; and

WHEREAS, this year's events include 2 days of Pro-Am golf play (three man teams with 1 celebrity), 2 days of celebrity only golf competition, a Junior Clinic featuring Mario Lemieux, a silent auction, performing artists and interactive sports games; and

WHEREAS, this year's celebrity participants will include Michael Jordan, George Gervin, Bob Pompeani, Bryant Gumbel, Lynn Swan, John Elway, Steve Bartkowski, John Brodie, Ed Marinaro, Jim McMahon, Rick Rhoden, Johnny Bench, Mike Schmidt, Ivan Lendl, Pierre Larouche, Tom Barrasso, and Mark Recchi.

NOW THEREFORE, be it resolved that the Council of the City of Pittsburgh wishes the Mario Lemieux Foundation another successful Celebrity golf tournament, thanks them for promoting cancer research and helping other charitable causes and proclaims June 10 through June 13, 1999 "99 Toyota Mario Lemieux Celebrity Invitational Days" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you and we are joined by the Director of the Lemieux Foundation, Tom Grealish who also is a resident of the City Council District Two I am proud to say. And he also just moved his headquarters and his company Henderson Brothers onto Fort Duquesne Boulevard to a new building. We appreciate that and without any more.

Mr. Grealish:

I would like to let Bob know that you do have the 9:35 time with Michael Jordan. So you're ready to go. Please hit the driving range.

It's a massive undertaking. Last year we raised over \$400,000, this year we hope to raise 600,000. As you know Mario wants the money to stay here in Pittsburgh and we have a Hodgkin's laboratory up at the University of Pittsburgh Cancer Institute and the Neonatology research grant was up at

Magee.

We want to raise a lot of money. We want keep it here locally. He would have liked to have been here today but he has been busy with some meetings on some other matter.

It is June 10, 11, 12, and 13. It is open to the public. We try to keep it affordable. The tickets are ten bucks for adults and \$5 for kids. Parking is free. If I could put in a plug you can get tickets by dialing 188-39- Mario or go to any Giant Eagle or to any ticket master and get tickets. With the great celebrities that we have coming, we think we are going to have a sell out on the weekend. So please go get your tickets and please, City Council, is it possible to legislate good weather for those four days? Last year we had quite a weather problem. Thank you very much.

The Chair:

We have a few to be read into the record.

MR. ONORATO PRESENTS:

No. 1680 WHEREAS, Linden Market, located at the corner of Brighton Road and Benton Avenue in the Brighton Heights neighborhood has been in the Funk family for over 6 decades; and

WHEREAS, Jim and Carol Funk have operated Linden Market for about 40 years without ever taking a vacation. Their schedule has been to wake up at 5 a.m. each morning, travel 35 minutes to the neighborhood store, where they remained open from 6 a.m. to 6 p.m. every

day of the week except Sundays when they closed at 2 p.m.; and

WHEREAS, Linden Market is an icon by being one of the few neighborhood markets left in the area and is known for friendly service (Jim & Carol know their customers by name), excellent quality meats, fresh corn, and homemade candy & crafts. The corner market was even open during the blizzard of 1993; and

WHEREAS, Jim and Carol's three children; Sue 30, Rick 27, and Kim 24, all have helped run the family business all these years; and

WHEREAS, on Saturday, May 29, 1999, Linden Market will close for good allowing Jim and Carol to take a well deserved rest.

NOW THEREFORE, BE IT RESOLVED, that Pittsburgh City Council along with the residents of the City of Pittsburgh sincerely commends and thanks Jim & Carol Funk and their family for their hard work and commitment to the Brighton Heights community, and wishes them the best of health and happiness in their retirement; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare, Saturday, May 29, 1999 as "Jim and Carol Funk" day in the City of Pittsburgh.

MR. O'CONNOR PRESENTS:

No. 1681 WHEREAS, Paul F. Gorman was born in 1935 to Frank and Elizabeth Gorman of Greenfield, the brother of Frank, Cormac, Eugene,

Raymond, William, Elizabeth and Mary; and,

WHEREAS, Paul grew up playing sandlot football, baseball and basketball with his brothers, later graduating from Central Catholic High School and Potomac State College; and,

WHEREAS, while serving as a Recreation Director for the Department of Parks and Recreation, Paul served his country in the United States Navy in 1956 & 1957; and,

WHEREAS, Paul had a powerful impact on the lives of youngsters throughout the City of Pittsburgh while serving as Recreation Director at Manchester, Northview Heights, Hazelwood, Southside, and most particularly in his hometown of Greenfield between 1954 and 1970; and,

WHEREAS, upon his departure from the City of Pittsburgh, Paul helped to found the Greenfield Organization, a community outreach program, serving as its first Executive Director; and,

WHEREAS, Paul was blessed with two sons, Kevin and Brian, with whom he was extremely proud; and,

WHEREAS, besides his children, Paul had two great loves, sports and young people; He also enjoyed Pirates baseball and Notre Dame football, the Olympics and professional boxing and admired Jerry West, Mickey Mantle and Vince Lombardi, whose quotes he used to write down; and,

WHEREAS, the City of Pittsburgh is grateful to Paul Gorman for his

contributions and dedication to the Department of Parks and Recreation and the neighborhoods he worked in, especially, Greenfield.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby posthumously commemorate the life of Paul Gorman; and.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 29, 1999, "Paul Gorman Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolutions.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Thank you. At this time we will allow three minutes for public comments. When you go to the mic please give your name and address for the record.

PUBLIC COMMENTS

Ms. Brose:

Good morning. Thank you, Council. I am Aggie Brose. I reside at 1442 Simona Drive, Pittsburgh, PA 15211.

I am here today as Chair of the Nabisco consortium and I first of all want to thank Council for their support and their leadership on this issue. It has been a long time we started last July. I am sure that some of our Councilmen felt that it was over, that we won by what they read in the

papers.

As of the 19th, we have put together as a consortium, a very good financial business plan. We had the commitment of the commissioners particularly Commissioner Dawida that he would put \$4.5 million into the deal. That was the cent platform that we built the financials on. There is an additional \$20 million now that the Atlantic Baking Group has brought to the table.

On the 19th I got a call from Jim Crawford at Steel Valley Authority who has very much been apart of this deal. He told me and I have his quote here, that the RRA looked like they were reneging on a letter of commitment to Frank Brooks Robinson RIDC, who would be the owner of the facility. It's the last piece they needed to close the deal with Nabisco. They had submitted an offer as the city and the Council and Steel Valley Authority for 9.1. They rejected that and the next offer that went in was 9.5. They accepted it and we have a letter of intent to purchase the facility.

It is not an exclusive letter of intent though. So on the 19th when I called Mulu Birru, he didn't return the phone call instead I got a letter. A copy of a letter that he sent to Frank Brooks Robinson on the 19th stating that a recommendation was made by the staff of the URA and the county that he was looking at two deals. And whoever was selected would receive a \$500,000 loan from the URA and subject to the issuance of a new development fund by the county a loan of 4 million. Now they're loans they are not grants I want the public to know that these are to be paid back. The exact timing of the funds cannot be determined but we expect that it

will be happening no later than September of 1999. If your deal is recommended you will have to seek bridge financing.

URA allocated their staff to sit at the consortium through Dave Thomas. Commissioner Dawida allocated his staff through Tim Joyce. The Mayor had Dina I forget her last name sitting through his staff. Everyone had a representation at that table and knew the deal was moving forward. When I talked to Mulu after I received his letter he said that they had a criteria they would be looking at and after all the Ohio deal only needed a million dollars subsidy, it is not subsidy it's a loan.

He said our deal with the Atlantic Baking Company needed four point five. And I said that is because that's what you put on the table day one and that's what we built the platform on. The day after election, talk about election fraud; the deal was off the table. We heard as of Friday -- can I continue? We heard as of Friday it is unconfirmed but a recommendation was made by the URA to fund the Ohio deal.

A deal is a deal. We want the building to be occupied but for the greater good of the county and the City of Pittsburgh the better deal is Atlantic Baking Group, Ron Wilcox can do a turn key operation, the skilled work force is very much a part of the business plan. The folks have two weeks unemployment left. They have been sitting around because they knew that they were very much apart of the business plan and everybody was working on their behalf. They can go to work the beginning of July. We could bring this to closure the end of June. The investors are all in town today trying to close this deal but for this four point five commitment that went off the table.

Ron Wilcox has hired a chief financial officer, he used to work at Nabisco, he worked at Keebler he can put the same products with the skilled work force. He will start with five ovens, he will bring the work force back and then in mid June of 2000 his business plan calls for 400 manufacturing jobs.

The Ohio deal through Bruce Olson will not bring those numbers back and it will take longer to get them there. We will loss the skilled work force if we do not move. And I apologize sincerely that we weren't on your phones -- this hit on Wednesday. We worked diligently on the phones all day Wednesday and Thursday and we had a big meeting Friday. The vacation time hit and you have been a force up front particularly in the leadership of Jimmy Ferlo. We would never have got to where we were without Jim's support without a doubt.

As we moved ahead and we were using the powers to be through the Commissioners Office and the Mayor's Office and we had all these meetings we had no reason to believe that the four point five was not committed. It was said at every meeting. Is there no such thing any more that a man is a man of his word? For God sake he's top leadership, he's a commissioner. And it is awful funny that it fell apart the day after election.

So we're asking you as Council again, one more time, that if there is anything that you can do within your office, within your elected office to support our issue to get word to the commissioners? I do want to tell you that Larry Dunn called me at home on Wednesday evening, he was appalled. Just

as some of the Councilman were today, as Gene Ricciardi just was. He thought the deal was all sewed up and done and Larry Dunn thought the same thing and Larry Dunn's vote is on the table as a commissioner. He said I may have not gotten elected, but I am still commissioner until the end of the year and you have my vote. If anybody, I will put the resolution on need be, I will put a letter out there need be.

I understand that Bob Cranmer is resisting it and will not support it. He will support the deal that takes less funds. It's that thing if you want to buy a real diamond ring or do you want to a piece of glass for this city and nobody is giving us anything. We're going to pay it back. Its a loan and for the great good of the city, I know there is someway to be creative to help us and the reason we're here today is time is of the essence. We do not have the exclusive letter of intent. It would have cost another \$200,000 for that and we didn't do it. And if they have made a recommendation to Olson he right now could be filling out an application for a million dollar PEDDA loan and so would we be. We would be coming up against each other as competition.

So this thing could collapse. I mean all the investors with the Atlantic Baking are in town today trying to close this deal by the end of June for the greater good of the County of Allegheny. So I thank you for your patience and I particularly want to thank you for all your time and all your leadership and all the energy that you put into this. I know how sincere all of you were. Thank you very much.

Mr. Chris:

Hi, my name is Tom Chris. I am Secretary Treasurer for Local 12, Bakery Confectionery and Tobacco Workers which is located in Lawrenceville.

First of all I would like to thank everyone on Council for everything that you have done for us since the very beginning. We're here again to ask your help. We have broken promises which these people behind me it is their life. They live in Pittsburgh, they work in Pittsburgh. The jobs right now we are trying to get are jobs with the living wage. These people could be making 15 to \$18 an hour, which is more than a living wage for Pittsburgh. These people have all looked for jobs in Pittsburgh and it is very hard to find jobs. That's why they're here with me today trying. So I am asking for your help again. Thank you.

Mr. Ferlo:

Yes. Thank you very much. First all when I turned the television on the night before the election and then throughout the day of election only to see Commissioner Dawida only repeatedly on the air about the great savior of the Nabisco Plant I was very skeptical but I said well great. I am pleased if it works out God bless them and I hope things happen.

I do have to admit, maybe I have grown cynical 12 years in office that when I see that kind of electioneering today and the night before and a close race or at what was supposed to be a close race, it always brings out my worst fear. And unfortunately what has unfolded in the last couple of weeks is my worst fear. This plant cannot happen if two principles aren't

established. One is the existing workforce, the members of Local 12, the members of the Local 95 operating engineers. A successful bakery cannot work unless it has the skill and the talent and the historical expertise of skilled people and that's what we have in this room and others who aren't able to be here today because they are out struggling to making ends meet.

So no bakery is going to be successful without that necessary ground rule component. The skilled work force it's been unemployed, out on the street it has to go back into that building if we are going to have a successful bakery. Secondly, no financial deal is going to make sense on the table. No business plan is going to make sense on the table unless it has the expertise of the folks that are now unemployed. I will note that both unions involved from the beginning have had an open attitude and negotiation and a cooperative spirit with any local investor or national investor that was to be recruited.

Now as they went in not with an attitude but with let's have an attitude how we make this deal go, how do we make it work for the workers, how do we make it work for the owners? So I think both of those principles have been clearly established by the unions, by the rank and file here in this room and by the contortion as a matter of principle. Now there are a number of competing interests and to be fair to the Olson Group or anyone else it is always difficult when the public sector gets involved in the private market dealings. Because the fact of the matter is the private sector doesn't want to have to compete against the involvement of public sector.

Now there is a bonafide quality proposal that's been on the table for the last several weeks. Now maybe that Steel Valley Authority leadership and I am not sure what factually is accurate, the administration has told me on Friday that the SBA never specifically got a commitment from Commissioner Dawida. It was never told explicitly about this four plus million commitment. The other group obviously I heard her say that that was not the case that they were lead to believe that the deal was firm. I don't know who is not being accurate or why there would be a lack of communication but to me right now at this juncture that is not even the issue at this point. The issue is that we have the resources at the county level and if need be at the city level through the development fund and through the URA to make this deal happen with the Atlantic Baking Group and that's what needs to happen.

We can cry over spilled milk and maybe there should have been better communication. And as everyone in this room knows always get it in writing but the fact of the matter is there is a bonafide deal on the table that we're about to blow. It is unfortunate because this is a quality group, they had the strongest business plan, they had the best proposal to get those ovens fired up and get the product made and get it into the trucks and out onto the supermarket shelves. They had the most bonafide business plan that could be brought to fruition and make this a go deal with the needed hiring back of several hundred of the workforce.

So I would strongly ask that the Mayor personally intervene. Regardless of the politics of Commissioner Dawida's

broken promise and many tears let's move on, let's find the wherewithal to consummate and sign on the dotted line in the next many hours before the close of the day the Atlantic Baking Group offer. So I would hope that that will be the spirit of today's advocacy effort here today at Council and the meeting that took place this morning with Deputy Mayor Cox. But we need to sign on the dotted line now and this is the deal that is on the table.

There are other reservations that I have about the Ohio proposal and it is the least developed and they have the least ability and the least expertise to hit the ground running. We don't want to start an effort for it to immediately fail. So there is every reason why we should consummate this deal with the Atlantic Baking Group and as Aggie Brose pointed out, this is not a grant. This is a loan. And it has requirements, albeit it will be a lower interest hopefully, but at a time when we have committed so much money to move this region ahead and in the form of the regional asset district, state funded the stadia the convention center. At a time when that this Council has voted on at least seven or eight different tax increment financing for projects that probably we could argue now really maybe didn't need it like a new ALCOA corporate headquarters. Did that really need 100% tax increment financing? I am not sure any more.

So the fact of the matter is, we have the resources, and we got to be concerned not just about the City of Pittsburgh creating employment for the regional employment sector and the regional hub. Too many dollars of our investment pot have gone to create income and employment for non-city residents.

The Nabisco workforce many of whom live in the City of Pittsburgh it is a strong workforce. It is like manufacturing, like industry these are quality jobs and this workforce the composition of the workforce is a high percentage of women, higher percentage of African American's on the employ making a quality union paid job. These are individuals that their ages are not just going to go out tomorrow and get a high quality job. They are going to be working for five and \$6 an hour at a non-union supermarket and they don't want that. And we don't want that and that is not what is good for the city. That is not what is good for the region. Let's sign the deal with the Atlantic Baking Group.

The Chair:

Any more speakers? Let me ask you where do we go from here? I know there is a commissioner's meeting Thursday morning or are we planning on attending that?

Mr. Ferlo:

As you pointed out to me earlier before the meeting your advise and also pointed out by some of our speakers, we don't need Bob Cranmer. I certainly didn't need Bob Cranmer when he was in office. I certainly don't need him as he is about to leave the office. We will get Commissioner Dunn's vote as a second vote so Mike Dawida fulfill your promise whether it was in writing or not and we will get Larry Dunn's vote.

The Chair:

First I want to thank Mr. Ferlo for his leadership. I think Ms. Brose and Tom Chris and we had our first meeting in

Lawrenceville with Ms. McDonald. We sat there and met. I would ask you to make sure Mr. Ferlo and Ms. McDonald are included in every one of your meetings or their representatives.

Mr. Hertzberg is on the URA board if any pressure we can do we are certainly here to assist you. I believe you have the support of every Councilperson. But I do think when we get to third base we can't forget Mr. Ferlo and Ms. McDonald. Include them in on the meetings so we can be apart of it all along and try to smell a rat when we find one. I know if Jim finds it he will bring it up.

I ask you to make sure they're included and they would keep all Council members informed. Maybe get some of the news clippings to show them. Good luck.

Now move to presentation of papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 1682 Resolution providing for a Contract or Contracts; or the use of existing Contracts for the purchase of fire hose and related accessories for the Fire Bureau. The total cost of the purchase will not exceed \$39,000.00.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the

motion.

Which motion prevailed.

Also,

No. 1683 Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Emergency Operations Center at a total cost not to exceed \$500,000.00.

Which were read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1684 An Ordinance amending the Pittsburgh Code, Title One, Article XI, Personnel-Section 181, General Provisions, Subsection 181.10(a) Attendance by changing the reimbursement rate from [\$5] per meeting to [\$15] per meeting. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD PRESENTED:

No. 1685 Resolution approving Execution of a Contract For Disposition of Land By and between the Urban Redevelopment Authority of Pittsburgh and a. m. Rodriguez Associates, inc., or a limited partnership to be formed, for the sale of Block 29N Lots 77 and 161, in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, E. Carson and Sarah Streets, Council District No. 3 (residential construction).

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 1686 Resolution transferring the amount of \$500,000 from PNC General Fund Bank Account, Fund 1000, Budget Year 1999, Account 101250 to the Emergency Telephone Act Trust Fund 2454, Organization 213000, Sub Class 600, Budget Year 1999, Account 000000 as a temporary loan for various operating expenditures within the Emergency Operations Center, Department of Public Safety.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1687 Resolution providing that the City of Pittsburgh enter into a professional services Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, evaluation, validation, preparation, administration, scoring, and interpretation of Civil Service examinations, and providing for the payment of the cost thereof. Cost not to exceed \$50,000.00.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

Mr. President, we have a post agenda meeting scheduled for tomorrow at two o'clock regarding the Pittsburgh Penguins. And we were asking the three entities that are proposing reorganization plans to make presentations tomorrow. But there has been some major news in the Penguins bankruptcy case.

On Friday when the SMG Fox Sports Group submitted what they call disclosure statement to the bankruptcy court for approval, which must happen before there can be a vote on a proposed reorganization plan. The judge declined it at that time to approve their disclosure plan because he set a hearing date for this Friday on the motion by the Penguins to reject that lease. So it appears from the judge's moves that the SMG Fox lease may in fact be rejected. And it seems to me that if there is no SMG lease then there probably isn't a reason for us to hear from them and there may not be a reason to do any of these events. There may not really be any competition the only offer may end up being the Lemieux offer.

So unless anyone on Council has any reason to oppose this, what I would do is kind of indefinitely hold this post agenda meeting and hopefully it become moot and we won't need to do it at all and

everything will fall together within the next days. But seeing no opposition, I am going to make a motion to hold on this indefinitely and not hold it tomorrow.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I think it is a good initiative on your part and especially since the court seems to be at least favoring the Penguins staying here. It looks much more positive since Friday than it did a week ago. So I believe it's good we hold that and in case we need it, it is there for us. We're not worried about the rally, we're worried about the courts. It looks like they're doing the right thing. Any other unfinished business to come in front of Council?

We ask for committee chair reports.

CHAIR REPORTS

Mr. Hertzberg:

Seems like I just gave this report two weeks ago. I don't know what is going on with your schedule here but I have a brief report. It is brief though because I know I just gave one.

Our street resurfacing program in the Department of Public Works through the end of May we have resurfaced 13-miles of an 83-mile program and that's on course and within the budget to successfully complete the goals of the program.

Playground retrofit program. Work has begun on McGee playground, which is the first of five retrofits scheduled for '99.

Trails. That's seems to be where a lot of attention is going now, probably an inordinate amount. I am less than happy with the situation in fact I personally believe probably the trails are getting attention to the detriment of the normal maintenance operations of Public Works. In any event, the finishing touches are being put on the Eliza Furnace Trail Extension, the Junction Hollow Trail and the extension from Southside Riverfront Park in time for the Rails to Trails Conference, which is June 23 to 26th. In case you don't know that's so sometime in July we can get on with the ordinary responsibilities of Public Works.

Park maintenance and reconstruction. Since the last report we have completed concrete repairs at Ream Playground, 4527 square feet and Paulson Recreation Center 2740 square feet.

Concrete repairs are currently being performed at Bud Hammer Playground in Beechview Monument. We have also scheduled this week for the installation of a T-ball field at Heth's Playground.

Lastly, Court color-coding is scheduled at Ammon, Fort Pitt, Marshal, California, Oakwood and Tropical this month. This will put the finishing touches on several 1998 projects.

On the issue of vacancies and employment in the Department of Public Works, currently there are a total of 783 people working within the Department of Public Works including our summer

part-time people. Vacancies in the administration there are five, in operations 40 and environmental services 21 which is a grand total of 66. But there has been approval and this usually means approval from our budget department to fill three of the vacancies in administration, 32 of the 40 in operations and 15 of the 21 in environmental services. So we're showing out of those 66 total vacancies, approval to fill 50 of them. That concludes the report.

The Chair:

You have a post agenda I believe tomorrow at two or has that been changed?

Mr. Hertzberg:

Tomorrow at two was the one we just put on hold. Street paving is Friday. Then we have a special meeting with the Mayor, I believe, that's next week on Public Works.

Mr. Udin:

On the Finance Committee report, essentially the post agenda that we had on the CAFR, the Comprehensive Fund Report, serves as the Council's update on finance for this period. Just to remind Council there is still a problem with getting the trust fund balances in all the various trust funds that exist in the city and that problem flows from a continuing problem with the inability of Peoplesoft software to get to generate reliable trust fund balances. Hopefully the City Controller will get the staff in place and on board quickly and attack this problem so that it does not become a center of controversy in next year's budget.

Also the CAFR reported a \$48

million fund balance that's what the accumulated fund balance is as of this report, December 31, 1998. Although there are already some encumbrances against that \$48 million, there still needs to be some policy decisions either initiated by Council or initiated by the administration that sets some guidelines as to how that \$48 million should or should not be utilized.

At this point it is just sitting there and I don't think we or the administration has put forward any clear policy on what the appropriate balance is that should be maintained at all times and how we should approach the disposition of the balance of the fund balance.

Usually after the -- well the CAFR Report that was presented on May the first is always a preliminary CAFR and the Mayor then has to do an audit of that preliminary report and put out a final official report. And that report is expected this week. So once the final numbers are in and audited it usually sets into motion the schedule of budget summit meetings for next year's budget. So I will be in touch with the administration to find the timing of when they expect to release the audited CAFR and begin scheduling the meetings of Council and the administration towards the developing next years budget for the year 2000.

The Chair:

I appreciate that. I think it's very important you have been getting a jump on the budget each year trying to give us a heads up.

I am concerned I might as well talk about it now because I think it has to do

with budgets. You know the shootings we have had in the city I have heard police officers saying about undermanned. I don't know that the-- we have been trimming over the last few years. But going back to a report of May sixth, showing that because of the Magistrates Court defunding of the 4.4 million it was stated by the administration that this money didn't come would mean hiring few more employees including police officers and Public Works employees. So I think what you're talking about where that capital money is, what are we going to do for this year if it is needed for police officers, Public Works? We can't wait until the end of the summer. So the sooner I think you finalize it with the Controller, we may need that money especially to keep our mandatory staffs. It is not just a Hazelwood, Lincoln Larimer area that's happened, it has been happening all over the city the last week. And if that's the start of the summer, we're in big trouble.

I am calling for a meeting. The chief will be there tomorrow night in the Hazelwood community, the District Attorney Zappala will be there. The narcotics squad will be there. So we want action and we want it fast. I am hearing from the police officers because of vacations, special events, whether it be traffic control after games that they're very, very short. So we want to be on top of that. And if it is true we have to know where we are going to get the money to make sure we hire and keep it a full complement of police officers.

So I think, Mr. Udin, the finances certainly plays a major part in that and the sooner we can resolve the issue the better for everyone. Thank you for that.

Moving on to Reports of Committee.

If we could pause, I just received some bad news. Councilman Cohen is not here today because his grandmother Ida Mintz passed away last night. Services are not complete but I know she is a wonderful lady and she was at his honor at the Squirrel Hill Coalition Man of the Year. I believe she was either the first or one of the first female attorneys in this city. So she certainly will be missed and our condolences to the Cohen family. And as soon as we get word, we will let Council members know once funeral arrangements are completed.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1688:

Report of the Committee on Finance and Budget for May 26, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1644:

Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel Station Square in an amount not to exceed Six Thousand Eight Hundred Twenty-six Dollars and Thirty Cents (\$6,826.30) for the Citiparks Senior Interests Program Volunteer Recognition Gala; and providing for the payment thereof.

Which was read.

Also,

Bill No. 1655:

Resolution providing for the filing of a petition or petitions for the sale of certain property, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which was read.

Also,

Bill No. 1657:

Resolution providing for the transfer of the amount of Five Hundred Thousand Dollars (\$500,000.00) from Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget Year 1999 to the Special Summer Food Service Program Trust Fund in the Department of Parks and Recreation, Account 581140, Fund 2855, Organization 521220, Subclass 600, Budget Year 1999. (PRESENTED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 1660:

Resolution amending Resolution No. 239, effective April 27, 1999, entitled, "Resolution providing for the issuance of a warrant in the sum of \$15,000 to USX Corporation and Bethlehem Steel Corporation c/o Barry J. Trilling, Esquire, Pepper Hamilton & Scheetz, LLP, 50th

Floor One Mellon Bank Center, 500 Grant Street, Pittsburgh, PA 15219-2502, in full and final settlement of the action filed at C.A. 96-1240 alleging the release of hazardous substances from a landfill located in Elizabeth Township" by changing the name of the payee to read USX Corporation and Pepper Hamilton, LLP.

Which was read.

Also,

Bill No. 1665:

Resolution authorizing the sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 (part), to Rita Lorraine Borgese, for the sum of \$100.00.

Which was read.

Also,

Bill No. 1666:

Resolution authorizing the sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 (part), to Rita Lorraine Borgese, for the sum of \$100.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1689:

Report of the Committee on Public Works, Water and Environmental Services for May 26, 1999, transmitting resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1610:

Resolution granting unto Allegheny County, 101 Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an Exhibit/Information Panel on a portion of the sidewalk area of Forbes Avenue adjacent to the City-County Building in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1690:

Report of the Committee on Housing, Economic Development and Promotion for May 26, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1639:

Resolution amending Resolution No. 303 effective 6/12/98 as amended, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reprogram funds in City Council, at a total of \$22,323,000.00.

Which was read.

Also,

Bill No. 1640:

Resolution amending Resolution No. 297 effective June 12, 1998 entitled: Resolution providing for an Agreement(s) with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$525,545.00, chargeable to and payable from the 1998 CDBG Program, Mayor's Office, so as to delete a project (Korean's War Veterans Monument) and adding a project (Bloomfield Preservation & Heritage Society).

Which was read.

Also,

Bill No. 1641:

Resolution Amending Resolution No. 295 effective June 6, 1997, as amended by Resolution No. 669 effective October 31, 1997 entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,105,350.00, chargeable to and payable from the 1997 Community Development Block Grant Program" so as to reduce project Northside Public Space Improvements (-\$15,000) and add project Bloomfield Preservation and Heritage Council (+\$15,000.00)

Which was read.

Also,

Bill No. 1642:

Resolution Amending Resolution No. 8 effective January 28, 1999 as amended, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment

vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as reprogram funds in the Mayor's Office, at a total of \$21,181,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Onorato and Mr. Ricciardi abstained).

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1691:

Report of the Committee on Public Safety

Services for May 26, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1635:

Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Bureau of Police at a cost not to exceed \$200,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

Before you call the vote on the other bills, I would like to change my vote to an abstention on the last set of bills out of Housing and Economic Development, on all the bills in that department until I get some answers from the administration.

The Chair:

Let the record show.

Mr. Ricciardi:

I have a follow up to that if I may, Mr. President. Yes and maybe Mr. Onorato could enlighten us a little more when he said he was looking for information from the administration. So if this is regarding north --

Mr. Onorato:

The reason I abstained instead of voting no, is because I am not sure exactly what is going on but I have an idea what is going on. The debate we had several weeks ago regarding a particular group that was supposedly defunded because we did some asphalt pavement and we found out that wasn't the case. I had the letters to prove it from the Deputy Mayor that that group is now being funded. There is money being taken away from two North Side projects, however; I think at least for one for sure the money coming in from the Plan B development along the North Shore should be covering the public improvement. I know the community groups have a commitment from the Mayor's Office to do the under passes and to do other improvements leading up into the neighborhoods.

I really don't care where the funding comes from as long as it gets done. I want to find out where the funding is coming from if that's the case, they're just reshuffling the funding. That's fine, but I don't know that so I am going to abstain to make sure that I don't vote to defund the public improvements.

Mr. Ricciardi:

If there is no objection from my colleagues I also would like to abstain on the similar bills, please.

The Chair:

Abstention noted for Mr. Ricciardi.

You have heard the reading and title of the bills, is there any this any

discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motion and resolutions.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 1692 A resolution authorizing the appointment of Ronald Graziano as Chief of the Bureau of Building Inspection.

The Chair:

What is the wish of the body?
Mr. Graziano would be ready to meet with us tomorrow morning.

Mr. Ferlo:

Discussion. I thought we amended the code to require that each one of the Bureau Chiefs in Public Safety must be appointed by Council, not just the Public Safety Director. I noticed in the Mayor's letter it says he has appointed. I don't think -- I think clearly it should be appointed, pending confirmation of Council. That's not what I saw when I saw the letter on Friday.

In any event I believe we amended the code that Council has to actually approve each one of the Public Safety Bureau Chiefs, which would include BBI as opposed to the past when we only appointed and confirmed the so-called Public Safety Director which we know hasn't existed for seven, eight, or nine years.

The Chair:

We will finally approve him by next week, so tomorrow he will come in front of us.

Mr. Ferlo:

Yes. But my motion is that we interview him pending confirmation. I would ask the Clerk's Office to please clarify the city code between now and Tuesday, between now and tomorrow for us.

The Chair:

He will be interviewed tomorrow morning.

Mr. Ferlo:

The mayor's letter read like he's appointed. I believe he is not appointed until --

The Chair:

He is making the recommendation.

Mr. Ferlo:

That's not what his letter said, so we should correct his honor.

Mr. Ricciardi:

Just a question to our colleague, Mr. Ferlo. If I am not mistaken you did sponsor the legislation requiring appointment by chiefs to this body. Was there also a time factor in there because I am thinking about the fire chief?

Mr. Ferlo:

Yes.

Mr. Ricciardi:

Did you mention it? What was it 60 or 90 days and then what occurs?

The Chair:

I believe it was 60 days, but the Fire Chief we keep hearing different excuses. The last I heard about three weeks ago they were interviewing again outside of the Pittsburgh. We certainly send a strong message that we think it should be one of our existing firefighters whoever that maybe. I think it is the Mayor's prerogative to make the appointment.

Mr. Ricciardi:

But if that time has lapsed, what does the legislation say? Can this body act if the time has lapsed that they did not appoint the Fire Chief, Mr. Ferlo, sponsor of the bill?

Mr. Ferlo:

I don't believe it was written with that power because there is a question legally about our ability to do that.

The Chair:

I believe he's really breaking the law by not making the appointment. Again, I don't understand why they have held it almost a year, I guess close to a year.

Mr. Ricciardi:

Well maybe tomorrow before we interview the nominee, maybe we could have the Director of Public Safety who I believe is also Deputy Mayor of Operations, come and give us a status of the employment of a Fire Chief.

Mr. Ferlo:

I think we need a representative or the Solicitor herself here also.

Mr. Ricciardi:

That's fine. Thank you.

The Chair:

He will be here tomorrow morning.

We have also an Executive Session tomorrow morning at nine o'clock

discussing McIntosh Hemp Field. And this afternoon we have two public hearings, two and 2:30 concerning I believe the downtown riverfront sub-district B and downtown riverfront C6B concerning the North Shore development. That will be this afternoon at two and 2:30. Anything else under motions and resolutions?

Mr. Onorato:

I just wanted to keep my colleagues here abreast of something that's developing on the North Side. I have a funny feeling that it is probably not unique to the North Side yet this particular case is pretty urgent.

We have a property up in the 27th Ward and, colleagues, you might recall a battle that I went through about six years ago regarding properties owned by an individual, about 22 properties. She is now in jail through mail fraud and arson. I am not going to use her name but any way we disposed of most of the property. And there appears to be one of her properties that the city has legal title to right now. There is a squatter on that property and he is reeking havoc throughout the 27th Ward in this area. And believe it or not I believe the city is being too cautious here.

We have legal title, we should give 24 hours notice and physically go in and remove the individual and anyone else living with him and board that property up and clean the property. I am working today I am very frustrated because this has been going on for a while. I have a file thicker than this folder here of all the legal wrangling going on. As far as I am concerned it is very simple. We have legal title, we have the deed to the property. We

should go in there and do what we have to do. If the individual wants to sue us and claim some type of interest because he cut a deal with this woman who is now in jail that's his problem. Let him do that. I am going to be putting the pressure on.

I am working with the Deputy Mayor who is the head of operations. The Law Department has been great doing the legal aspects but let's face it, the taxpayers of this particular neighborhood they don't want to hear how thick a folder is and what we have been doing in court. They see this every day and every night. There are two Dobermans that are there. I know of two incidents where the Dobermans were loose. One particular incident the woman who lives right behind the house was lucky enough to have a police car happen to be driving down the street and got in between the Doberman and her as she was walking down the sidewalk and probably stopped her from being attacked. The Doberman was then put back into the yard. This is not a minor incident.

If we cannot show the residents of this particular area that we can't respond to a problem where we actually have legal title that's why people are leaving the city. There is a full scale dumpster sitting in the front lawn of a residential neighborhood, just sitting there on the grass. One of those big steel ones that you have an 18 wheeler to move it out. It is sitting there. There are building supplies stacked three feet high all along the building. I am trying to direct the Law Department, BBI and Public Works to go on the property immediately, remove the building supplies, put it into the Division One on the North Side. If this gentleman wants his property he can go pick it up. Have this hauler, this big trash can moved

immediately. Let's get a private hauler or if we can do it in house which I don't think we can since it is so big. Get that moved off the property immediately board up this property.

It's our property and let's do what we have to do at this point. I only bring it up today because this might pick up in the media soon because the residents are really frustrated and I can't blame them. It has been going on too long, we own the property. Let's do what we have to do and show that the government can move and let's not be afraid. We eventually went on the women's property who is now in jail with 57 dump trucks. We went on her property. This is our property. This is even a better case for us.

So I am going to try to get a meeting with the Mayor today if he is in town and try to convince the Deputy Mayor to make the decision. Order a police escort if we have to. That is what we did with the other property because we got threats. Let's go on with our men and women and clean this property up and show the taxpayers in this area that have been paying the bills and are sick and tired of having to live next to a jump heap that we will respond. So that's happening right now as we speak. I will keep you posted.

Finally, I only bring it up too because I got a letter here from City Source that gives us a list of 76 privately owned property. This was to the Deputy Mayor also and I just find it totally amazing that there isn't one property listed here in Council District One.

I submit properties all the time that are privately owned and that the owners aren't taking care of. These properties

have been cleaned and liened. I am also going to submit the properties from District One to the Deputy Mayor and I sure hope that this only reflects March and part of April. This was only the reflection of two months and that District One was covered either before or it is our turn this month in May and it is being done because that's just not right. This says 76 properties located acrossed the city. I want to correct Mr. Harlack this is not acrossed the city when you totally exclude one Council District it is not acrossed the city. The entire Council District One has been ignored on these two months. We have plenty of property that are privately owned that need to be cleaned. And to the residents of District One, I can assure you the list that you have been calling in will be cleaned within the next two to three weeks. We will lien the property owners or I will do everything I can to defund City Source and put it back into Public Works and do it the right way because this has to be fair. You pay taxes you deserve the same treatment.

Mr. Ricciardi:

Well yes. I think Mr. Onorato brings up some very valid points. I also would like to see the City of Pittsburgh move and that is move in the right direction to protect the interest of taxpayers.

In this case, this gentleman actually storing or moved his private property on city property. I can consider that dumping. I think Mr. Onorato is being very kind in being willing to store the property, but I think he should be given proper notice and that he has dumped his material on city property. I could feel the frustration of the taxpayers.

I am looking forward to talking to Mr. Graziano and others tomorrow. I attended a memorial at Eldorado Center in Knoxville in Mount Oliver neighborhood and a gentleman was very frustrated regarding two privately owned properties on Arlington Avenue. I had a chance to pass those properties and now I see his frustration. How many times and how often can he call the Mayor's Service Center for results? Now it goes even beyond that. It goes beyond that to the state of Harrisburg in terms of what all the hoops they put us through in order to clean up some of these privately owned properties.

Regarding City Source, I think Mr. Onorato has brought up a very good point and maybe under the leadership of the Chair, Mr. Hertzberg, we shouldn't wait until budget time. They have great -- first of all let me say they do good work. They do very fine work but they have great discretion on the properties they clean and in which neighborhoods. And when I had an opportunity to chair Public Works, if you recall, I have always asked them to give a monthly report. My staff traced that on a bar graph and when things were not in sync I would make sure I would call them and let them know that there are certain councilmatic districts that were not up to the same levels as the bar graphs.

Now the information they gave me at that time well there is more properties that are vacant in such and such Council District. Shouldn't be that way, these funds should be distributed across the board, across the city. Mr. Onorato brings up another point that I would like to just if I may correct one of the facts. We have and it was an amendment that I put

forward supported by Mr. Ferlo and others we have taken out City Source as a line item. And what my amendment did is it took that money and put it in the Department of Public Works giving the discretion to the Director of Public Works, Mr. Ralph Kraszewski on who he wanted to do business with. So since City Source is no longer an arm of city government it shouldn't be that way. City Source now is a contractor, a vendor, no different than any others landscaper.

So what I would ask Mr. Onorato and others to do is not to communicate directly with City Source, to communicate directly, with all do respect Mr. Onorato, with the Department of Public Works. If your not pleased with a contractor, call the director and then Mr. Ferlo has been saying for years now and Mr. Ralph Kraszewski agreed with it. I am not sure of the status of it in Public Works but we also were going to look at competition for City Source and pilot programs. We were going to look at innovative programs.

I mean there is a lot that we continue to cut by my house. Gets done every year twice a year. Once, I said let's take some money and spend it on some thick plastic, cover it with plastic maybe something on top of it, some sort of mulch or some sort of rocks or bricks and spend that capital up front and over the years its going to pay off. I mean we keep waiting for the budget deliberations. We all come up with what I believe some good ideas, but it is in the mix of the budget deliberations.

I know Mr. Hertzberg has been doing a great job in getting us briefed on paving, the pothole situations and maybe we need and I attended the last one, Alan, maybe we need something just for this.

Look into this because snow removal and now during the summer months especially with the rains you know or at least my office is going to be flooded with calls regarding unkempt and overgrown lots and I think it is something we should really look into.

I will just end with this, and thank you for this time, Mr. President. I read an article today on the Internet so I am not sure if it appeared in one of our papers. It was regarding and I am a loss for some of the facts but regarding some friction for lack of a better word, between our paramedics and our firefighters regarding first responders who is being called to go out and save lives.

I would just like to say that you know it is great that things are aired publicly, because it is an opportunity for dialogue but at the same time I am not sure what it accomplishes. I would like to ask because Mr. Diven has a track record in bringing people together in public safety. I think Mr. Diven that we need a meeting with yourself, someone from the administration, the chiefs of both the paramedics and the firefighters, I think the union heads of both firefighters and paramedics and maybe even a representative from the Allegheny County Labor Council. They are delivering the most important service and that is the ability to save lives. And then I find out that there is the debate in one of the local newspapers and I just found out that it appeared that they appeared on TV over the weekend, then I hear that there was an investigative report. You know maybe that's all nice for the media and it sells and maybe it makes good reading and good viewing, I am not sure if it is really solving something.

I mean we're all delivering the same service. I want to know whose responsibility is it? Who goes first? Who has the priority? Who has the back up and what the problem is? So if there is not objection by Mr. Diven and, Mr. Diven, you can call that meeting with everyone, bring them behind closed doors air it out and then go public with what the solutions are.

Mr. Diven:

As Council President O'Connor is aware, Mr. Ricciardi, we have been working on this since I believe December and January. One of the things we have been trying to do is to get the people in both the labor and management side as well as both the unions together to really start to look at putting together comprehensive long range plans for how public service or how public safety and emergency medical services are delivered in the City of Pittsburgh.

We have met on a number of occasions with myself and Council President O'Connor and representatives from both the unions and representatives from the administration in both bureaus. We have tried to set up a process where we can go and look at what the basic practices and benchmark how we deliver services in the city already and then compare it to other cities across the county. And see what direction we need to be taking to make sure that we can one, improve the services and make people in the City of Pittsburgh safer. But at the same time look at ways to protect the members of the different collective bargaining units as well as make it more efficient for the City of Pittsburgh to

operate in the field of Public Safety.

I know that I have talked with Dr. Bruce Dixon who is the Health Director for Allegheny County and he has shown and expressed an interest in serving as a facilitator. We have been working to try to set this formal committee up with representatives from different unions, both unions and both bureaus of the administration. The only thing that has held us back to this point is I have had a number of conversations with our Public Safety Director, Mr. Sal Sirabella, about getting the administration's full participation in setting this kind of a process up. We have talked and I think Mr. Sirabella understands the direction we want to take. I think he's on board on that. But there have been some reservations that we have been trying to work through and make sure that if we're going to start this process it doesn't become a finger pointing contest or an assessment of blame, but a way to bring people together proactively and establish a labor management relationship that's going to look at the ultimate goal which is improving the safety for the residents of the City of Pittsburgh. And then accomplish the other goals that we need to do to be competitive and be successful in running a city.

So we're in the process of doing that. I had hoped to have the first formal official meeting the beginning of this month but I have not yet been able to get a commitment from the administration to be a full fledged partner in that and we are going to work on doing that. I know that Councilman President O'Connor has put a lot of time and effort in this and I think it is really the best way to go.

When we start to talk about labor

management, we need to look at what we are doing in private business. They're actually setting up processes where we can develop the system that we deliver based on the front line needs and the people that deal with the infrastructure day-to-day of the individual departments and draw from their experience and their input to make sure that we do things smarter. We do things more efficient, but at the same time protect the collective bargaining members and hopefully develop a team attitude. I think if you look at some of the recent contract negotiations, they have been bitter, they have been brutal, and they have left a lot of bad blood between the administration and the union representation. That's something that we have to come over top of and it is taking a while to get everyone on board. I think we're almost to the point now where if we can get the administration to step up and be a partner in this effort and start to look not at what we can do today or tomorrow but in five to seven years where the City of Pittsburgh Emergency Medical Services are going to be and what is going to take to map out a plan to get there. I think I will continue to work and I will keep you updated.

I know Council President O'Connor has been very involved in being somebody that helps to bring people to the table and helps to make sure that it doesn't become a fight between egos but everyone is committed and focused on the goal of improving services. So we will spend some more time on that.

Mr. Ricciardi:

I thank Mr. O'Connor and Mr. Diven for all that report and hard work and fine work. It sounds good and I mean

that in all sincerity. But the taxpayer has to have a level of comfort and confidence and when they call 911 that it is going to be responded to. It's going to be responded to in a very efficiently and timely manner and by those that are closest to the client or taxpayer that is asking for help and that personalities and politics and even cost are all set aside in order to arrive on the scene in a timely, efficient manner.

I guess what I am saying is I hope we don't fall into any type of bureaucratic responses or reports or have shuffle board because for example I don't believe a chief of a bureau should show up on a news program. I think all it does is feed the fire and I am not sure what it is supposed to accomplish, I didn't see it of course. But I guess what I am just saying all I want to make sure is that any taxpayer, visitor in the City of Pittsburgh and especially in my district has that level of confidence in the service being administered. And I say that with all respect to my colleague, Mr. Diven.

Mr. Diven:

I agree with you, Councilman Ricciardi. I think that nationally our bureaus have a fantastic reputation for excellence. I think when we have these arguments by the media it really does a lot of damage in the long run. I would definitely and it is something I have been working on for a number of months now. I would definitely rather have these conversations and get some kind of synergy between the two different bureaus and labor management so that we can start to work for something more positive that is going to improve the image as well as improve the performance and the efficiency of those departments. I agree

with you 100% and I will continue to work on that path.

Mr. Hertzberg:

Thank you, Mr. President. I appreciate your work and Mr. Diven's work but this seems like more of an urgent problem than a long-term problem to me. I mean something has changed, in my opinion, in the last six months or a year with how we are delivering emergency medical services and I am not sure what it is. But from what I heard from Mr. Udin about an incident he related about a month ago, then a couple weeks after that I was personally told about an incident in my district where an individual had to place three calls to 911. Someone had emphysema, they were having problems breathing and every time they called 911 the operator had no record of the previous call. And it turns out the individual lived within two blocks of a firehouse. Yet 45 minutes for anyone to arrive there and it turned out it was a paramedic that arrived there after all the long wait.

This is we can talk about the problems and the politics of all of this but mean while there is an extreme medical emergency in this situation and I hope there are no others. But I don't know what the problem is whether it's simply politics among these two departments that are fighting, whether there is a problem with 911 and there maybe a problem there. I understand they're still having severe staffing problems or whether it is a combination of all these things. But it seems to me it is taking what it probably had been the best emergency medical response in the country or even the world and we have lost something now and we need to get it back. I mean we need to be

doing what we were doing. It was a great service and you know you were in the best hands when you were in the City of Pittsburgh with an emergency medical problem. I want that to be restored and we need to act promptly and I don't know if it means a closed-door meeting or what it means but I hope we cannot say this is a long term. I don't think it is, I think it is something we need to get on now.

The Chair:

If I may respond, I think Mr. Diven and I have been working very closely for the last three, four months and I don't know that the administration is agreeing with us or that they see it as an urgency I guess. The 911 Center we toured three four months ago is set and ready to go in Point Breeze, why isn't that happening? I was in squirrel Hill and there was a fight at Giant Eagle, it took two phone calls, 15 minutes for the police two respond they told me they were two blocks away.

Mr. Udin had an incident he brought up three weeks ago. Something is drastically wrong here and some one better get a hold of it. Now when I saw on TV you have our fire strongly debating the head of the paramedics, well this is life threatening emergencies and in some cases whether it be -- if you break your arm that kid broke his arm, he wants someone there to take him to the hospital. I don't care if it is a fireman, policeman, an EMS if they can't be there. But ladies and gentlemen this thing is falling apart here and I urge the Mayor to start getting involved with these meetings and we are trying the best we can but we are not the head. We don't have the power and we can only intervene meetings. I will take Mr. Ricciardi, maybe he's brought the right subject up, it is time

to bring people here.

I will also mention my meeting in Hazelwood, Mr. Onorato, I think you got a good point as far as the demolishing buildings, you put how much money into the budget last year to demolish these buildings?

Mr. Onorato:

We doubled it.

The Chair:

We doubled it. What is the ratio of tear down? It is not even near that. I have just been told a couple of buildings can't come down. In Hazelwood we were told there are four or five under 18 year olds living in an abandoned home. Why aren't these places boarded up or torn down? This is getting really out of hand, the management and control here.

We are having a meeting in Hazelwood tomorrow night, it is not just about police -- plus we want them on the right corner. The citizens know where they are. You say, Mr. Ricciardi, it is right there, have a cop on that corner. You are going to solve this problem much quicker. If I have to do it I will take the chief and one thing I know is management and cost and control and scheduling. If I have to do it, I can show them where I want them scheduled in my neighborhood. It is not brain surgery. Something is lacking in leadership here and we have to do a better job.

I ask the Mayor to get involved personally because somehow these organizations are starting to fall apart. If you went around the city as I know all of

you did, over the weekend, I was never so proud of the neighborhoods. We were in Bloomfield, Lawrenceville, wonderful parade. I was in Hazelwood, Greenfield, Squirrel Hill, all the South Side had a big events all over to commemorate Memorial Day. This is an outstanding city we can't just let either top management have disagreements about where they are going to do who is going to do what, and we have to get back to business, back to basics here. I mean it is a shame that the people of this city aren't giving better service.

Again, in Bloomfield what are most of the complaints, somebody dumped stuff on a city street and no one is picking it up. Is that too much to ask? In any neighborhood whether it be Greenfield, Homewood, North Side, there is something drastically wrong here and if it takes public meetings, I guess we are trying Mr. Diven is trying to bring these groups together. But just talking about a Fire Chief hasn't been put in charge over a year, 911 Center is sitting there equipped. But you know the reason it isn't there is politics. Okay.

So now I said we want to hold a meeting until after the election, the election is over, now it is resolved to politics. Mr. Dawida is leaving. All three are leaving. Come on and let's do what is right for the people of this city and let's put the politics behind us. I am getting fed up. I am going to use this pulpit here every week if I have to, to bring this stuff up. We are picking on some truck driver that is loafing. Come on. We have a 911 Center that is empty and ready to go and we aren't doing it. There is something drastically wrong here people. We have to put an end to it and whether Mr. Ricciardi

or whoever, we have to have public meetings every week or every Monday and bring these people up to see what is going on. We have to put a stop to it.

Mr. Udin:

Thank you. I don't want to sound like an alarmist here but I think its not an overstatement to say that some neighborhoods in this city are under siege. They are under siege by narcotic traffickers and gun traffickers and people fighting for turf and people fighting for revenge. In the last couple weeks has seen neighborhoods all over the city not just in Hazelwood but in Homewood and East Liberty, in the strip district, in the Hill district, on the North Side, all over the city there are instances after instances of shootouts in the streets with AK47s.

A police car was ambushed in Hazelwood from two different directions one a block to the east and the other a block to the North and a simultaneous ambush of gunfire at one o'clock in the morning. Now we don't have a strategic response, a well thought out strategy for attacking and counter attacking drug trafficking and gun trafficking and the shootouts that are occurring in this city. Obviously the local police are not adequately equipped. I don't know where the regional law enforcement and Federal law enforcement authorities are. There needs to be someone to step forward to provide leadership, to coordinate resources and to figure out a counter attack. We have people who are afraid to go out of their homes for fear of being shot or a ricochet bullet hitting them. Why should we have to live like that in the city with so much promise?

We just had a couple weeks ago a

report of the crimes statistics going down and we talked about during the public works debate the importance of being able to spread wealth into these pockets. Sometimes when we look at these statistics like when the EMS gives us the statistics of 6.7 minutes response time that camouflages the fact that sometime -- that's an average. Sometimes the average of response time is a half-hour, it's 45 minutes. Sometimes they will call you back and tell them take them yourself because we don't have the time to get there. So we have to be careful about the statistics. The same is true with the crime statistics even though crime in general maybe down over all in the area or in the city there are still concentrated pockets that have not been put on the radar screen or not in priority.

Now people in many neighborhoods think that the people in charge are not responding because they don't live in these neighborhoods. They don't feel the same urgency as the people who live in the neighborhoods when they're walking down the street or when they have to send there little children to school and wonder whether or not they will arrive back from school that day. We have to have a coordinated response and I am calling on all of the regional law enforcement people. I am calling on the city law enforcement and the administration to admit that we have a problem that requires a coordinated response and put this thing on a high priority.

Now I have been saying this Mr. President since I have been here. Since I have been here. I have taken everyone who will get in my car and ride around with me I drive them through

Center Avenue and I drive them through the neighborhoods and we still don't have a counter attack.

We must respond because our citizens deserve better.

The Chair:

I believe it is time also for the police department to start working together. We are county residents, we pay county taxes, we want county sheriffs, county cops, state cops, federal cops. Let's get them here. You know how long I have heard of them in Hazelwood last two years, Councilman keep quiet we're investigating. We have the drug force down there. Come on, two years later, come on. I am tired here.

Either someone is getting paid off or they don't know how to do their job. And we should start with the federal and state guys if our guys don't know how to do it. It is unacceptable now. Again, we have a great city.

In Hazelwood where that shooting was, where the ambush was, one o'clock yesterday afternoon we had a couple hundred neighbors out there behind a monument, young kids a whole great community, right there on that corner is where that shooting was. And when the cops are there, they're not going to do it. So the cops should be on that corner everyday and they just have to sit there and chase them out of our town, let them go somewhere else.

Mr. Ricciardi:

Thank you. This is going to give me a great opportunity to plug a program

that I am going to try to get back on track. I don't question anything that you and Mr. Udin have just raised that it is so important for someone to feel secure and feel a sense of comfort in their own neighborhood being able to walk outside and enjoy their own neighborhoods. And with these problems I think we need a coordinated effort.

I agree with you there, Mr. O'Connor, if you recall I passed legislation here asking what was going on in the Hilltop communities. But the administration told me you know we can't share with you we're working on it. I can't share with my neighborhood and my residents and they get a little upset and I say well they're working on it. But I have to throw a plug in here and I am hoping to get the administration's response because for some reason they pulled the permits several years ago.

But this morning, Mr. President, I had an opportunity to bring two very fine women, two activists from the Beltzhoover neighborhood into my office this morning at nine a.m., Don Jones King and Jeannie Barron. Both women were very involved with the teenage awareness program here in the Beltzhoover area, Knoxville at the McKinley Park Center several years ago. Wonderful program. A lot of times people say at risk kids but all kids from the age of five to 25 two different programs tutoring, recreation socialization a place to come together, they had over 100 kids and these two women are respected in the Beltzhoover neighborhood. They can do things in the neighborhood that I can't and other leaders can't and let me tell you right now the administration can't because they're accepted by a lot of the young people.

For some reason and I don't even care what happened in the past, but two years ago they didn't receive their permit for the McKinley Park Shelter they were denied their permit. Just several weeks ago I met with a group of young men and women in the Beltzhoover, Knoxville neighborhoods there must have been 30 to 40 of them, and they spoke so highly of these women. They went back into that shelter and we never had a problem. Did we have a problem with clean up? I doubt it but if so I will take care of it. So I am just bringing this up because I am going to the administration one more time and I am saying we want that permit back. Because we have been very fortunate, we have not witnessed south of the rivers some of the shootings and some of the casualties that other neighborhoods have witnessed. And we need to be proactive.

So I can't respond to Mr. Udin what the police are doing but what I would like to do in the Beltzhoover neighborhood and to give support to Don Jones King and Jeannie Barron, I will be asking for the permit. If I am denied that permit, I am asking all of you and I will give you all the facts to please stand with me. Even if we have to do it by resolution ordinance or fact of law, I am not sure we can mandate it hopefully they will support me with this. Thank you.

Mr. Ferlo:

Obviously I have a lot of strong concerns about comments that have been made over the last 20 minutes but I won't comment. But I would ask that in the interest of trying to move ahead and make our year 2000 operating capital budget reflect a lot of the different concerns, they

have concerns but they kind of have a common thread. I think in a way we almost need a year 2000 return to the neighborhood agenda. So I hope whatever our budget is both operating and capital it can kind of build on the concerns that Councilman Onorato and the majority of us expressed in this budget '99 but have yet bring to fruition. But I would ask that with permission of Councilman Udin I don't think we really need to wait for the Mayor's budget address of the second week of November. Basically I think maybe we should just start a process through the Chair of people in the respective committees, especially Public Safety, Public Works, maybe Engineering and Construction those committees that have something directly to do with the livability or lack there of our neighborhoods and our communities.

I think maybe we could even set our own budget hearing process where we start interviewing community groups and department directors and staff throughout the months of September, October. And offensively take a position even prior to the Mayor's budget address as a way on a practical level to actually influence what the character and scope of that budget address will be. We all know we are much more locked in after the Mayor presents a preliminary budget. So I would ask that the various chair people maybe meet with Councilman Udin as the Finance Chair. Maybe there is a way for us to involve more of the neighborhood group leadership and community residents in the budget deliberations in the year 2000 that the theme of the 2000 capital and operating budget be a return to our neighborhood agenda. And that we start a hearing process in September, October rather than waiting for the budget address

of the second week of November.

Mr. Udin:

I would most certainly concur with Councilman Ferlo's comments. I think too that we have seen our role as a responsive role responding to the Mayor's agenda. That is really not what our constituents elected us to. They elected us to have an agenda that represents their interest as defined by us and then we work with the administration to try to reach consensus but that requires us to start with our own agenda. If we don't have our own agenda then the only thing we are left with is responding to the Mayor's agenda. So we have to have our own priorities. We have to have our own agenda, our own budget and then we try to reach consensus with the Mayor.

I am fully prepared to work with all the committee heads to get that agenda developed and make it a public agenda. I mean we give lip service to public involvement but we really don't give the public the kind of information that they need to get involved. We don't recruit them into the process early enough and it is really not a public involvement in the agenda building process. We need to make that a real process along with the involvement of the various council committees.

The Chair:

I think to Council's credit we all see the big picture but also we represent neighborhoods who want equal or better than the big picture. We can have both I think if we do exactly what you two both said. I will give you one example just to tell the public I will criticize then I will

thank the Parking Authority without asking anybody that.

I know in my neighborhood that the golf course on Darlington I think Thursday they put up parking meters on our beautiful Schenley Park Golf Course. Right on the street with the parking on the Schenley Park property. It ends at Dr. Wecht's house, so if you put a quarter in the meter, you will either put a quarter in the meter or you will park in front of his home for nothing. But since it happened, and I had nothing do with it, and I will thank the Parking Authority after a couple phone calls they will be taking them down. So we have probably the most beautiful part of this city I think is from the top of Schenley Park Golf Course driving into Pitt, past the Phipps all the green the trees all the flowers around the Frick and everything and to start entering that park with parking meters on the left is --

Mr. Ferlo:

Is that the good news and the bad news is --

The Chair:

Well the bad news they are up, the good news they are coming down so you don't have to call me all day. I had nothing to do with it but please they will be down within a week, I have been promised.

Can I have a motion to adjourn the meeting?

MR. UDIN moved to excuse the absent member.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. UDIN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Udin, the meeting adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, June 8, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest with us, Bria Prentiss. She is in the fourth grade at McKelvey School. She is ten years old and she is accompanied by her mother, Donia and her sister, Andia.

Bria Prentiss:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, ladies, and they're in Councilman Udin's District and the Councilman can come up. We have a gift for both of you. Thank you.

We have many special guests.

PRESENTATIONS

Mr. Cohen:

Thank you very much. Good morning members of Council and members of the audience. We have a special proclamation for Marshal Arts Championships, which are occurring June 11th to the 13th if they could please come up.

This is an event that I would like everyone to become aware of and let me describe it to you through this proclamation.

MR. COHEN PRESENTS:

No. 1693 WHEREAS, Chinese Martial Arts including Kung Fu have a history dating back thousands of years and today are considered an important Chinese

cultural treasure appreciated worldwide;
and

WHEREAS, the Chinese Martial Arts promote self-discipline and a healthy mind and body; and

WHEREAS, the 1999 Pittsburgh Martial Arts Championships will share this important cultural heritage with the people of Pennsylvania through a tournament, seminars and demonstrations by Masters of Chinese Martial Arts on June 11 – 13, 1999 at the Fitzgerald Fieldhouse at the University of Pittsburgh; and

WHEREAS, the 1999 Pittsburgh Martial Arts Championships is the first tournament in Pennsylvania sanctioned by the United States of America Wushu Kung Fu Federation and will help participants to improve their knowledge and skill; and

WHEREAS, the 1999 Pittsburgh Martial Arts Championships is the first Mid-Atlantic regional tournament held in Pennsylvania and shall provide the largest group of Chinese Martial Artists ever gathered in the State.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate the organizers of the Pittsburgh Martial Arts Championships and declares June 11 – 13, 1999 as "Kung Fu Days" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much for coming down here this morning and for organizing this important event for the City of Pittsburgh.

We have with us this morning Chris Young who many of you may know who also has made many contributions to our community other than the Marshal Arts contributions. We have Master Ernest Wothrock (phonetic) with us if you could raise your hand please. Thank you for being here. Also I learned this morning that the word, is it See Fu (phonetic) stands for teacher in this field. So we have See Fu Vince Kurtis, See Fu David Slaughter and also Eric Cohen who I am sure will become a See Fu because he's a Cohen so it is just a matter of time.

But let me give this proclamation on behalf of the Pittsburgh City Council to Chris Young to come up and say a few words please.

Mr. Young:

Thank you. I just want to thank you for this. It is also important for me as a Chinese American that we have been able to pass this resolution. And marshal arts is an important part of our culture and has been in my family as well.

Now I would like to present See Fu Vince Kurtis who is actually the real organizer of this tournament to say a bit about it and I hope to you see guys all there at the tournament. Thank you.

Mr. Kurtis:

Thank you very much. Thank you. Just a real short note to let you know how very happy we are to have this proclamation from the City Council.

Kung Fu is gaining popularity as a sport and an exercise, estimated 13 million people in America enjoy the benefits of Kung Fu. We hope that an event such as this will help the public become aware of the many benefits of Kung Fu as a serious exercise and a serious sport. And we would further like to invite all the members of City Council to come out to the tournament, to watch the demonstrations and the competition and the other displays of Kung Fu that we will have.

And on behalf of Rothrocks (phonetic) Kung Fu, the rumble in the burg tournament staff and the USAWKF National Organization I just want to accept the proclamation and give you our thanks and hope to see you there. Thank you very much.

Mr. Ferlo:

Thank you, Mr. President. I would like Talise Manuel and her family and her coach to come forward please and other family members if you want to come up here and give some support to Talise.

I would like to ask my colleagues Councilman Udin who represents the district as well as Councilman Onorato who represents the school where Talise goes. I got involved because she has a relative who works in Lawrenceville at Iron and Glass Bank so we kind of got everything represented here today.

We have some great young people

in the audience today and up here now, Talise Manuel so it is kind of a day to recognize some of the young people in our community. We have a star athlete who is going to be representing the United States very shortly in July traveling all the way to Warsaw, Poland or as they say in Polish Warshova (phonetic). The only reason I know this is because I was there in 1974. And I know Talise is going to have an exciting trip. So I would like to offer the following proclamation.

MR. FERLO, MR. ONORATO AND MR. UDIN PRESENT:

No. 1694 WHEREAS, Talise Manuel, a Junior at Oliver High School, is the defending City league champion in the 300 hurdles and the high jump as well as one of the premiere heptathletes in the country; and

WHEREAS, Ms. Manuel is one of only 55 athletes ages 15-17 to be selected to participate in the World Youth Games in Poland; and

WHEREAS, Talise qualified for the Games by finishing in the top two in the long jump at the Junior Olympics in Seattle in the summer of 1998 by jumping 18 feet, 5 inches; and

WHEREAS, Ms. Manuel is also a community role model and an accomplished artist who trains at the Manchester Craftsman's Guild;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh does hereby proclaim Tuesday, June 8th, 1999 to be "Talise Manuel Day" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council also wishes Talise Manuel the best of luck in her pursuit of athletic glory at the World Youth Games in Poland and also wishes to thank her for proudly representing the City of Pittsburgh at the World Youth Games.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. We will give you the official proclamation. I don't think in my life I could ever imagine jumping 18 feet 5 inches although in City Hall you get to jump a lot of other hurdles. I actually thought the 300 hurdles were 300 hurdles that you had to jump. I didn't realize 300 meters in distance.

But it's an exciting day here in City of Pittsburgh because we have so many nice young people in the audience that we're paying some tribute to. Actually we have a secret motif here. One is to certainly honor and draw attention to the achievements of Talise but on a practical level it always cost money to go on trips especially all the way to the other side of the world to Poland. And unfortunately this is a great program, it is a great honor not only athletically and academically to represent the United States in Warsaw, Poland, but on a practical level it does involve raising resources.

So to the extent that anyone in the community, any organization, community groups, any of my colleagues I was able to allocate a \$100 from my account. If you

would like to help out and give Talise some resources to help adequately guarantee that she will take an easy trip, because she should concentrate on the athletic activity. You're welcome to make a contribution and before we leave we are going to give you a phone number that you can call or you can call any one of our colleagues if you would like to make a donation. We would really like to see you raise a little bit of money and help out our great athlete who is going to be representing our great City of Pittsburgh in Warsaw, Poland in July.

And before I let Talise say a few words, we have a large number of family members here. Her mom is here, Mitzie Davis and I see she is a Port Authority Bus Driver. I guess she is off work or either that or she is double-parked out on Fourth Avenue, but she is a grand lady and she deserves a lot of credit. And her coach is here, he's kind of bashful. He's this good looking guy to my left here, Alonzo Webb. He is from the River City Elite Club Coach and we're going to get him up to say a few words even though he's bashful. And the grandmother is here, Betty Davis, and Amita Haynes a friend of the family, and Aunt Janice Davis-Watkins is here, and Talise's cousin Andy Watkins is here.

So maybe we can at least get the coach to say a few words, maybe the mom would like to say a few words and then we will let Talise say a few words. But I would ask my two colleagues to jump in on this and let's -- we will let Councilman Udin go first because he will set the right pace here.

Mr. Udin:

Thank you. I want to thank

Councilman Ferlo for bringing this to our attention and obviously our office will match the contribution that Councilman Ferlo gave to the effort and hope that other colleagues will do the same.

There are a number of important efforts by community track clubs and organizations around the city that support the athletic activities in the schools. And any time we can do something to help promote the athletic activities of the youth, it's important in so many other ways academically and socially and culturally. I want to thank you for being an ambassador from Pittsburgh and the North Side to these games and I wish you all the luck. Thank you very much.

Mr. Webb:

Thank you. We're extremely proud of Talise on the River City Elite Track Club. We understand that she is going to go along way away and we wish her the best. We know that she is going to represent herself, her family and the City of Pittsburgh and our club admirably. So again, we would like to thank her for being the athlete that she is and being able to qualify for this meet that is going to have over 100 countries represented over in Poland. So we wish her the best of luck and come back with some good memories and hopefully some other people can follow her from the club and from the City of Pittsburgh.

Ms. Watkins:

First off I want to thank God. Talise received a word last year, prophetic word and one way to see if the prophetic word is true to see it come to pass and the word was that she would be traveling to

other countries and that God was going to use her and her face would be seen on newspapers and magazines. We all thought maybe she's going into career modeling but one thing is God's word is true and if he said something, it is going to happen if it is from him. And then later we discovered a year later that she would be going to Poland.

So I want to thank God for Talise's dedication, her life, you know and I am just thanking the lord for her in which she is doing and only he is the one who is keeping her body. Thank you.

Mr. Ferlo:

I see why she delegated her comments. Let's give Talise a big hand and get her up to say a few words.

Talise Manuel:

I don't really have much to say, but I am just glad I have everyone's support. I think it's a privilege to be here and a privilege to accept this award.

Mr. Ferlo:

If you did want to make a contribution you can call any of our colleagues and I am sure they will help you get the information and maybe can we have any kind of a number? I don't know if you want to use your home number -- 255-2134. Please call Councilman Udin's Office at 255-2134 if you would like to make a donation and help Talise make a great trip. We are very proud of you and we salute you and your family for being here today. And we would like to get a picture with you before you leave.

We have some other great young

people here today from the community of Lawrenceville and Bloomfield and I would like some of the family members to come up and our students. We have the Ramski family, actually we have several generations of Ramski's here today. We're going to get everyone up here and we have our first place winner Laura Lee Lewis, from Fulton Academy and we have two runner ups in an essay contest, LaChar Warfield from Arsenal School. I think LaChar is here and some of her family members and teachers and Melissa Terry, 12 years from Arsenal School is also here and I believe we have I think we have all four. And Jessica Ramski is here she is ten-years-old from Woolslair School. I would like to read the following resolution.

MR. FERLO PRESENTS:

No. 1695 WHEREAS, the Lawrenceville/Bloomfield Memorial Day Parade took place on Monday, May 31, 1999 in historic St. Mary's and Allegheny Cemeteries; and

WHEREAS, the purpose of the parade is to honor our local veterans and to educate the community, children and adults alike, about the significance of the bold and valiant actions of both our national and local war heroes; and

WHEREAS, the District 7 Memorial Day Essay Contest was founded this year in an effort to ensure that the legacy of our nation's veterans and their many sacrifices remains fresh and relevant in the minds and hearts of our young; and

WHEREAS, the Essay Contest was open to all children in first through sixth grade who attend school within the borders

of City of Pittsburgh Council District 7; and

WHEREAS, all winners of the Essay Contest received an award plaque, a gold coin commemorating the one hundredth anniversary of the founding of the Veterans of Foreign Wars and a United States savings bond; and

WHEREAS, the winners of this year's Essay Contest, runners-up Jessica Ramski of Woolslair School, Melissa Terry and LaChar Warfield of Arsenal Middle School and first place winner Lauren Lee Lewis of Fulton Academy, all captured the true essence of the meaning of Memorial Day in the essays and poems they submitted;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of the entrants in the 1999 District 7 Memorial Day Essay Contest, and their teachers, for putting forth a wonderful effort and by keeping our nation's history alive through their thoughtful and poignant writings; and

BE IT FURTHER RESOLVED, that the Council wishes to thank The Bulletin and its editor, Chris Dreher for helping to make the contest a success; and

BE IT FURTHER RESOLVED, that the Council wishes to give special recognition to the runners-up and to the first place winner of the Essay Contest for their talent, energy and dedication to our veterans.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. The young children who are here today wrote the essays. They were selected by a number of individuals including the Bulletin Newspaper who helped put the essays together and helped choose and judge. And many of the young people were able to participate in the annual memorial event.

There is a formal memorial service both at Catholic Saint Mary's Cemetery and at Allegheny Cemetery and several of the young people were able to be there that day with their families and they actually read their essays to the crowd.

Allegheny Cemetery is the sixth oldest cemetery in the United States of America. Anyone who has visited the beauty, splendor and Reverend Victorian Cemetery that it is, also knows that it is proud to host one of the oldest Memorial Day ceremonies. I think the ceremonies there date back to right after the Civil War. So it is truly a historic event and has a very proud tradition in the greater Lawrenceville, Bloomfield community. Hundreds of people actually participate.

I do want to thank Congressman Ron Klink for taking time with us out of his schedule that day to speak to all those assembled. We're very proud of the young people here today and it shows a lot of time and talent and dedication not only to write the essays, but to think about the theme. The theme was "What Memorial Day Means to Me." Some of the young

people did receive their plaque. I want to thank the VFW that presented a gold coin. This is an emblem of their 100th year anniversary of the VFW, which is this year. They were formed just right after the Spanish American War.

I did want to present Lauren Lee Lewis who is the first place winner with the plaque as well as the gold coin and she was not able to be there that day. You can give that to your mom. Unfortunately the essay that she wrote got left in the car and my copy is in my trunk so it is not going to help us today. So we will post it on the Jim Ferlo website, WWW dot something somewhere, Ferlo dot something. Or go to the city's web page and we will put all the essays and the winners and their families in the Jim Ferlo website. How is that? So I apologize that we can't get you up here to read but we are very proud of you. It was a wonderful writing and we hope that you will participate in next year's essay contest. We will have to do a different theme though because we don't want you to use the same words, same eloquence as last year.

We also have and first of all Lauren Lee Lewis is 11. She goes to Fulton Academy and her mom Jennifer Porter is here. We wanted to welcome her.

We also have this multi generation clan here the Ramski's we're very proud of. Jessica Ramski is ten years old she goes to Woolslair School. Her mom Karen Ramski is here her great grandmother Mary Matuszek is here, great grandma and her grandma Roberta Ramski and her grandpa Donald Ramski is here. I know Mr. Ramski was also at the Memorial Day event and he's been there many times over the many years. We also have the teaching

assistant is here, Mrs. Alteray Jones from Fulton school, which is a great school right across the street from my house. It's a beautiful facility and we have LaChar Warfield who is 12 years old at Arsenal School and Melissa Terry who is 12 and she goes to Arsenal School.

I think a couple of you do have your essays and we are going to ask you both to read them. Take your time and we will go first.

Melissa Terry:

Memorial Day is a day in which we remember veterans for putting their lives on the line for our country. Memorial Day is also for the people who died in the wars for me. Without them, we would not have some of the things we have now like freedom. That is what Memorial Day means to me.

My great uncle died fighting for our country. My great aunt goes to the cemetery every Memorial Day to put flowers on his grave.

I think we are lucky because we do not have to worry about wars going on in our cities. Our soldiers have to leave their kids, pets, and parents to go and fight wars for us. They sacrifice a lot so I can feel safe and I am thankful.

I really did not know much about Memorial Day before I did my research for this paper. I was just happy to get off school that day. Now I have a new respect for the holiday. Memorial Day means much more to me now.

LaChar Warfield:

What Memorial Day Means to Me is the topic of my paper.

Memorial Day means a lot to people all over the world. We should think back to the people who fought in the wars. Some of the soldiers were injured and some of them lost their lives.

When I celebrate Memorial Day I remember all of those people. I know there are many veterans that remember their fellow soldiers that did not survive the wars. Memorial Day is also called Declaration Day because we put flowers on the graves. The veterans get a flag on their grave.

I think we should celebrate Memorial Day more than once a year. One way we can celebrate the Memorial of the soldiers is to hang the pictures of relatives on the walls of our homes. People all over the world should celebrate Memorial Day because our soldiers fought many times to make it possible for them to live in peace. I know there are many veterans in the world that children my age are not feeling safe like in Kosova. Many of the pictures I have seen in the paper make me feel sad. I know our soldiers are trying to help them.

I am proud that I live in the United States of America. I feel grateful knowing that there are people willing to risk their lives to keep me safe.

Mr. Ferlo:

And you didn't think we could read these quickly. Jessica, do you want to come up.

Jessica Ramski:

First off I would like to take this opportunity to thank Mr. Ferlo and I would like to thank everyone in my class for watching this and you have my vote. Junk it.

What Memorial Day Means to Me.

Memorial Day means to me is the remembrance of the warriors who made this country free.

Over cemeteries far and near, laid to rest our soldiers dear.

Freedom rings her bell in spite, so we can sleep safe tonight. For we know, no beating will go on; even though another life was gone.

Blood shed and bandages, gunfire in the sky; for the pursuit of freedom they did die.

So if you take this day in waste, remember who put you in this place; all the warriors who set us free now laid to rest under a red, white and blue sea. Now that's what Memorial Day means to me.

Mr. Ferlo:

Do any of the parents want to say a few words? We got all bashful people here.

Thank you very much and also I want to thank Council President Bob O'Connor for being at the event participating. We were very proud to have you there. Thank you all for coming down here today. We will get a group picture here for posterity and thank you.

MR. HERTZBERG PRESENTS:

No. 1696 WHEREAS, James Lucas son of Joe and Kathy is a member of the Boy's Scouts of America, Troop # 66 sponsored by Sheraden Community Presbyterian Church on Allendale Street, in the 20th Ward of the City of Pittsburgh; and

WHEREAS, James has satisfied the Eagle Scout requirements by earning the required amount of Merit badges in many fields; and

WHEREAS, James' Eagle Scout project consisted of organizing a group of Scouts and adults to paint the wooden portion of the floor in the sanctuary of the Sheraden Community Presbyterian Church in time for Christmas services; and

WHEREAS, Some concerns James had to address were: the condition of the floor, which had not had any upkeep for 20 years, paint type, color, drying time and paint fumes; and

WHEREAS, the wooden portion of the floor was under the pews, and due to narrowness of the pews and the condition of the floor, the volunteers had to lay on the pews to first scrape the floor and then apply two coats of paint; and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate James

Lucas on his recent achievement and commends him for his outstanding accomplishments in receiving the Eagle Scout Award on June 11, 1999.

MS. MCDONALD PRESENTS:

No. 1697 WHEREAS, the 4th Annual Pittsburgh Believers' Convention will be held the weekend of Friday, May 28, 1999 through Sunday, May 30, 1999 at the Hilton Hotel in Downtown Pittsburgh; and

WHEREAS, the mission of the Pittsburgh Believers' Convention will be to work together to unite the Body of Christ and demonstrate the power of unity to our city; and

WHEREAS, over thirty Churches and Ministries from the Greater Pittsburgh area have come together to celebrate the Oneness of Christ; and

WHEREAS, a vision of the Pittsburgh Believers' is to establish and develop a city-wide network and fellowship with other ministries that will foster unity and cooperation in a joint effort to impact our city and state for Jesus; and

WHEREAS, this year the Pittsburgh Believers' Convention is honored to have four dynamic guest speakers which include; Reverend John A. and Reverend Diane Cherry from Temple Hills, Maryland; Dr. Myles Munroe from Nassau, Bahamas and Reverend Jacqueline E. McCullough of Brooklyn, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City

of Pittsburgh recognizes and commends the 1999 Pittsburgh Believers' Convention for building bridges to the community through the word of our Lord.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declares the weekend of May 28, 1999 through May 30, 1999 as "Pittsburgh Believers Convention" weekend in the City of Pittsburgh.

Also,

No. 1698 WHEREAS, the Mt. Ararat Community Activity Center, (MACAC) was established as a 501C.3 agency in 1990 to provide services to "at risk" individuals in the East Liberty community and surrounding areas; and

WHEREAS, Mt. Ararat Community Activity Center is dedicated to providing services to the "at risk" individuals regardless of their ability to pay. Some of the activities include; an Early Childhood Development Center, Cultural Enrichment Summer Youth Program, a golf outing, a senior citizen sharing and caring luncheon, and a computer course; and

WHEREAS, the Mt. Ararat Community Activity Center relies on individual, foundations, and organizations for financial and in-kind support to assist in funding; and

WHEREAS, Executive Director, Lottie P. Edwards, Ed.D., has been with the Mt. Ararat Community Activity Center since it began. She has worked endless hours to increase the programs and ensure positive results with the youth; and

WHEREAS, Dr. Lottie P. Edwards, is a Deaconess at Mt. Ararat Baptist Church. She is married with two daughters, one son, and three grandchildren. Dr. Edwards will retire this year after 9 years of dedicated service to the community; and

WHEREAS, a dinner honoring of Dr. Lottie P. Edwards will be held on June 24, 1999 at the University Club in Oakland.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Mt. Ararat Community Activity Center for educating and servicing the entire community. The Council also recognizes and commends Dr. Lottie P. Edward for 9 years of dedication to Mt. Ararat Community Activity Center, (MACAC).

MS. MCDONALD moved to adopt the resolutions.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

At this time anyone in the audience who would like to address Council you have three minutes. Please state your name and address for the record.

PUBLIC COMMENTS

Mr. Grubbs:

Good morning. My name is William Grubbs I live at 606 McCandless Avenue in Lawrenceville. I came here this

morning to speak to you about your negotiations with TCI for renewal for our franchise.

First of all I think you should throw them out of town because they are a terribly heartless company. I will tell you why I think that. My daughter lives in Etna. She has TCI. Her home has been burglarized twice in the past nine days. On the second occasion they took her television, her VCR, and TCI box. She called TCI to notify them that she had a burglary and her box was stolen. They told her that they're going to bill her \$500 to replace her cable box.

Now I think when our franchise comes up you guys better make sure you have legislation to protect us against this roofless company. They should carry insurance for that purpose when there is a burglary. They have -- it is not just the subscriber who is saying they were robbed. They have two police reports to go by. Etna Police took a police report and so did Allegheny County Police because they were there. I think you guys got to protect the citizens of Pittsburgh when your franchise agreement comes up here. Something has to be written in that they carry insurance.

I tried to call Mr. Hirshman and I am told I am not allowed to speak to him. I called the corporate headquarters yesterday and I am told that I am not allowed to speak to the President unless I go through and make a long distance phone call and go through a switchboard and have the switchboard switch me over to the president of the company.

The corporation doesn't listen to subscribers, you're our only protection. I

want legislation passed out of you people to protect us. Thank you for your time.

Mr. Cohen:

Thank you very much. Normally we don't respond to statements made before Council. But I do want to take this opportunity to thank the gentleman for coming down here.

I agree with much of what he said about TCI. On the particular situation that you are describing, we are in negotiations with TCI right now. One of the items that we proposed out of many is that if in an unfortunate case where either your house burns or you are robbed and they take away the set top box that that set top box is destroyed, if you produce a police report or obviously if your house burns a fire report then TCI cannot, cannot charge you for that box and has to replace that box. That is in our proposal to TCI for franchise renewal. It's for the same reasons you just brought up today. We want to make sure that somebody who just suffered a tragedy doesn't have to pay out \$500 for a set top box.

So I can assure you that when we have that agreement concluded that it will be included in there.

Mr. Grubbs:

First of all, when they first came out with their digital cable box, they did a demonstration at your Cable Advisory Committee and they told them that that box is \$218 not \$500.

Mr. Cohen:

You know what TCI does. They

take everything and inflate it. I just wanted you to know that at least in the City of Pittsburgh, once we conclude these negotiations, that safeguard will be in there. I thank you for coming down.

Mr. Grubbs:

Okay, I want the protection. Thank you.

Mr. Ferlio:

I know Mr. Grubbs very well. He is very active in the Lawrenceville Community. He did speak with my office yesterday. I do want to thank him for coming down and amplifying on his concern today.

I do want to point out in addition to Councilman Cohen's appropriate comments that when the final draft version of the agreement is prepared there will actually be a public input hearing. I want to inform Mr. Grubbs and certainly others who have customer service problems or other kinds of issues they want to raise with this Council before a final vote, that there will be a draft agreement available for review. I hope that at the public hearing we will also have a second round of concerns and criticisms and issues raised such as Mr. Grubbs and others issues that have yet to come out. So there is a public input process that I hope people will be supportive of.

The Chair:

I would also suggest we send a letter to maybe Mr. Cohen to the Cable Advisory Board that \$200 seems much fairer, even that sounds high to me as opposed to \$500. God forbid there is an

accident whether legally or not if their insurance company is responsible. Let's at least give them a fair price. Thank you for coming down.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, that's Pittsburgh 15219. Mr. O'Connor there have been quite a few people that have come to me questioning me because they didn't seem to understand your reaction or your statement after I had spoke. I explained to them that you won't answer any questions from me but you need to know what the community is saying.

When I read from the paper I read it was a quote the exact words from the paper. And then when I stepped down and you make the statement that for people not to take pop shots at the Mayor how can it that the paper can quote statements and when I do it you attack me? And people in the community are looking at how you and the Council overall react towards my statements.

But the main thing is that I came today to mainly to address Mayor Murphy. I was not afforded a meeting with him as I requested by phone and even to a visit to his office. When I come to these meetings, I come as an advocate for children, youth and families. Many people in the Pittsburgh community are concerned about the small girl that was pulled out of the public swimming pool on Fulton Street in the North Side.

Now the ones who rescued her, the ones who pulled her out of the pool were family and friends of mine. My sister lives across the street. It was my mothers

birthday and as my mother was saying she was older she wanted to go home, it was around nine o'clock, but it was my niece who did mouth to mouth resuscitation on her where as the whole community pulled together to try to save this child.

Now see what it is that these people that helped to rescue this child and the community are distraught over the response time that the paramedics arrived to assist the young child. They said it was over 20 minutes.

Also they were upset with the way the 911 operator responded to their frantic calls. Above all now they are concerned and upset with the City of Pittsburgh, the police, they did not arrive until after the paramedics got there. Now I can walk from Brighton to the area where the little girl was in less than 20. We are saying that the police, again they always bring up their children and say that they're family people and they take care of their family, take care of ours. We are demanding an investigation into the time that it took from the paramedics to get there because even after -- May I please continue because this is something very important?

Even after they got there the police went down the wrong street and they came back even five minutes more time was taken. You understand I was a Red Cross instructor, in the minute or the time -- the minutes are just like seconds. And every minute is eminent. Now these police why don't they know the North Side is? How do they know to get to the swimming pool? Why don't they know that? We're saying this because this child as far as we know now, the parents have said she is still in a coma. If they had gotten there earlier maybe she might not have been.

My family did the best they could and they are very upset. When I come here about the police I am telling you what is happening in our neighborhood. I am not making this up. I am not saying that they're just taking and mistreating us because they want to, but there are some of them that are not respondent. We need to see why they didn't make it there in less than 20 minutes after the paramedics. Thank you and have a nice day.

Mr. Ferlo:

I don't know how you can pick on the police over this tragedy. It is an absolute absurd comment I just heard.

Ms. Brown:

What did you say?

If you made a statement I should be able to here.

Mr. Ferlo:

Read it in the record.

Ms. Brown:

You are just as ignorant and all of you are very arrogant and ignorant. The community sees this. They are talking about you. They are the ones who are telling me to come down and tell you.

The Chair:

Anyone else want to address Council? We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 1699 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from "R4" Multiple-Family Residence District to "C3" Commercial District ("LNC", Local Neighborhood Commercial District) all that certain property bounded by Edmond Street, Corday Way, Cedarville Street, Lot 159, Block 50-N, in the Allegheny County Lot and Block System; Joliet Way, Friendship Avenue, Pearl Street, Lots Nos. 98 and 138, Block 50-N in the aforesaid system, 8th Ward, Council District No. 7.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1700 Resolution providing for an Agreement or Agreements with Brashear Association in the amount of Ten Thousand (\$10,000.00) Dollars for operational/administrative expenses of neighborhood facilities for the benefit of the residents of the City of Pittsburgh.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1701 Resolution providing for the issuance of a \$7,744.48 warrant in favor of John T. Barleman, 323 Pinecastle Avenue, Pittsburgh, PA 15234, in settlement of a claim in which water run off from improper street resurfacing and

lack of catch basins caused property damage.

No. 1702 Resolution providing for the issuance of a \$8,400.45 warrant in favor of Carole J. Carter, 329 Pinecastle Avenue, Pittsburgh, PA 15234-2955, in settlement of a claim in which water run off from improper street resurfacing and lack of catch basins caused property damage.

No. 1703 Resolution providing for the issuance of a \$5,085.00 warrant in favor of Mario & Carolyn Fratto, 865 Grand Avenue, Pittsburgh, PA 15212, in settlement of a claim in which claimants' vehicle was damaged by a City Street Sweeper on April 6, 1999.

No. 1704 Resolution providing for the issuance of a \$8,404.13 warrant in favor of Deborah Stoyanoff of 1718 Crosby Avenue, Pittsburgh, PA 15216, in settlement of a claim in which claimant's sewer backed up causing damage to her basement on December 31, 1998.

No. 1705 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act (JTPA), and/or Workforce Investment Act of 1997 (WIA) and/or the Joint Jobs Initiative Program Single Point of Contact (SPOC) and/or the Balanced Budget Act of 1997 (WTW);

No. 1706 Resolution providing the authorization to make all legitimate expenditures for agreement or agreements with various agencies for job development and employment services, wages and

fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies, related outreach and recruitment costs and administrative expenditures necessary to implement the 1999 Neighborhood Employment Program, Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program; and providing the periodic transfer of funds to be used in the Neighborhood Employment Program, and the Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program, and for payment of cost thereof.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1707 Communication from City Solicitor Jacqueline Morrow submitting the Summary of Claims Report for May 1999.

No. 1708 Communication from City Clerk, Linda M. Johnson-Wasler submitting the 1998 Third and Fourth Quarter travel report from various City Departments.

No. 1709 Communication from City Clerk, Linda M. Johnson-Wasler submitting the 1999 First Quarter travel Reports from various City Departments.

Which were read, received and filed.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

I just want to remind everyone that tomorrow at two o'clock we're having a special meeting with the Mayor regarding the management of the Public Works Department. You may remember this resulted from us viewing here in Council a special investigative report done by Channel 4 that showed a number of Public Works staff doing things that they shouldn't be doing. We asked to have a meeting with the Mayor on the topic of management of the Department of Public Works that will be cablecast tomorrow at two in the afternoon.

The Chair:

I would like to present Bill 1692 the appointment of Ron Graziano as chief of Bureau of Building Inspection.

No. 1692 A resolution authorizing the appointment of Ronald Graziano as Chief of the Bureau of Building Inspection.

The Chair:

Is there a second?

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Congratulate Mr. Graziano. I believe he is with the city almost 18 years. He's done an excellent job and we look forward to a lot of working together with him and I want to congratulate he and his family.

Anything else under unfinished business?

Ms. McDonald:

I want an announcement. There will be a cablecast post agenda scheduled for this Thursday, June 10th, at two o'clock p.m. to discuss predatory lending practices. Its basically going to be formatted for public information and for the public. I encourage Council members to attend. It will be very enlightening.

We just had preliminary discussions about that when I had discussed this with the URA. It kind of came up into the discussion and it was an idea to talk about this. Since it does impact the public and it is does impact the URA in terms of second rate lending institutions coming in at a very high interest rate and preying upon those who have poor credit no credit, and they end up worse off then they originally were. The URA is very unlikely or unable to provide any assistance once they get themselves into this snag. So again, it is this Thursday, June 10th, at two o'clock p.m. Thank you.

The Chair:

I want to commend you on your past meetings and I believe anyone who is

interested starting a business or starting out it is very, very informative to them and that will be Thursday at two o'clock. It will be televised.

While we are going over this list, I might as well finish. This afternoon at two o'clock we have a public hearing on historic designation on Smithfield Street, the former Mellon Bank Building.

As Councilman Hertzberg mentioned Wednesday at two o'clock we will have a post agenda regarding Public Works and Thursday morning at ten o'clock we will have a public hearing on conditional use townhouses in the Mount Washington area. All right. Now move to committee chair reports.

CHAIR REPORTS

Mr. Ricciardi:

Thank you, Mr. President. Colleagues, I have a very extensive Committee Report for the Department of Parks and Recreation, which is very detailed and covers five pages. For those constituents in the City of Pittsburgh that would like to see a copy of the entire five pages, they can contact my office at 255-2130 and we will mail it out today.

I would like to touch upon some items such as capital. Extensive renovations have been completed or begun at the various recreation centers and pools. I think this is very important because of the summer months to the Market House, Ammon, West Penn, Warrington and Ormsby. All are scheduled for gym floor total rehab. Market House and West Penn are also finished. McGee, Ammon, major filter and pump renovations, Sue Murray,

Highland, Banksville. Shell repairs at Phillips, Highland, Manchester baby pools are converted into spray pools, Highland to be renovated as a ADA accessible site. So we are very pleased with those renovations.

Also, senior games began on June 1st, 1999 and are scheduled to conclude on June 11th. Registration has increased by 12% with a record of 401 participants. Also, a new program entitled African Drum and Dance in collaboration with the Renaissance Center has begun on Mondays at the North View Heights Senior Center. Neighborhood issues with the approval by the county area agency on aging and the Commonwealth of Pennsylvania we will be transferring our senior community center from Garfield Bloomfield to Morningside. A ribbon cutting is being planned for Thursday, July 8th. I am sure if there is any details others can contact Councilman Jim Ferlo's office at 255-2142.

Engineering and Construction is in the process of reviewing design plans for site in the West End to be used as a senior community center. Submission of the executive summary for URA loan will occur within a month. I know Councilman Hertzberg has been very involved with these details. Councilman Hertzberg's office is 255-2142.

With an agreement of the Pittsburgh Public Schools the Summer Food Program will be conducted from June 21st to September 3rd, 1999 at 103 locations throughout the city.

Once again, Council President Bob O'Connor, you will see that we have a very extensive report. It would take me at least

60 minutes just to read the report, but I ask those constituents in the City of Pittsburgh that would like to read the report and review it for their consumption to please contact my office at 255-2130.

The Chair:

Thank you. One question I had, I thought last year correct me if I am wrong if anyone remembers, I thought the bigger, larger pools like Schenley and Riverview, Highland opened Memorial Day; they weren't open this year.

Mr. Hertzberg:

We had a couple of years where we tried early pool openings and apparently they aren't doing that any longer.

Mr. Ferlo:

This is just one practical problem that we have, given the high degree of weather the extreme heat, 90 degrees plus. I particularly am worried that a number of the pools are filled now with water. Obviously they need to start gearing up and do maintenance and fill up the tanks but it does pose a potential threat. And unfortunately we have had a series of tragedies over the last few years and no amount of Monday morning quarterbacking is going to go change anything.

We have had two terrible tragedies now just in the last couple of days a third tragedy. And I am concerned I don't know if we need to address this issue in terms of some kind of better patrol especially during the evening hours. I know if I was 12 years old and it is 90 degrees and the water is in there, I am going to climb a

fence. It's sad and it is tragic but if there is anything we can do to take some extra precautions or some visible patrol even by the community. I think everybody needs to be involved in this, the community itself, the residents, the parents I think we need to be mindful if you are living at or near a pool. We have to go the extra mile in this next couple of weeks before these pools open.

The Chair:

I would urge not only --

Mr. Onorato:

When do they open?

Mr. Hertzberg:

They usually open the day the public schools close.

The Chair:

Somewhere around June 15th. We used to open at least the bigger pools for the holidays and I think they opened after three so no one can cut school.

So I believe on that issue if anyone I think the public has to watch. We certainly urge them or police patrols but if someone knows or hears kids in the pools young or old, they should call 911 again for safety precautions.

Mr. Udin:

I just want to comment on the situation in Manchester pool very briefly and thank Mr. Duane Ashley for his very prompt response and his forwarding information to my office as well as his

being in touch with the family subsequent to this tragedy.

We have requested that the Department of Parks look into the extension of the fence surrounding the pools with an angled extension that you see sometimes over bridges that can prevent people from or at least that can dissuade people from climbing over the fence. And I have been assured that that will be done and will be starting with the Manchester pool. But there are also other pools that can be and will be applied too.

Now obviously there is -- you can't put barbed wire and make a Chinese wall around all of the pools, but there are some things that we can do to dissuade kids from climbing into the pools, climbing over the fence. But it also I think is important to point out the importance of community responsibility. We have to take more care and be more concerned watching out for the children in the neighborhood as a collective family. All of the adults should assume responsibility for all of the children in the neighborhood, watch out for them. And when you see them doing something suspicious don't just turn your back and say that is someone else's child, I don't want to get involved because the price of not getting involved can be much more great than the price of getting involved.

So I intend to look into the question that has been raised about the response time. But the situation as far as I can tell is being handled and I hope that the extension on the fences will prevent similar tragedies like this from occurring.

The Chair:

Especially around a lot of our pools we kind of isolated, so it is tempting for young kids and even people not seeing them. When you see kids walking in the wrong area, warn them, warn their parents. Again, it goes back to just what you said, all the community has to get involved. I would rather see a kid disciplined by a police officer for being around the pool even if it is a mistake, than have a tragedy.

Again I would hope that the Public Works are checking all. If there are any cuts on any of the fences, some how that happened a couple of years ago. I believe one of the fences needed repaired, so again if anyone out there sees or hears any of those, please call your Councilperson so we can help address it.

Mr. Ferlo:

Mr. President, I do want to add some comments because I mean certainly the loss of a child is a terrible tragedy no matter what the circumstances are. I didn't mean to lose my patience with our guest or resident speaker each week who spoke earlier, but I am just tired of jumping on the police over this tragedy.

I think it is very opportunistic and very inappropriate. I think we should look at it and review. I am sure Councilman Udin and the Director of Parks and others will look into it more, but I do think that it is appropriate. We have had a series of tragedies and looking at it now we move from the subjective emotionalism and looking at it just in terms of how we run and manage the pools. I have been a long time critic of the whole pool operation of this city and unfortunately when you have these tragedies instead of finger pointing, I think somehow we have to look at the

tragedy and figure out how to do things better in terms of managing the operations.

I am not being critical of any of the park staff or even this Council or the administration but it does point to the need to do a critical review, a reassessment and maybe refocus how we run and manage the pool operations. We have had to settle at a significant amount of money two outstanding claims against the city, and I am sure there will be legal action on this tragedy and probably other tragedies yet to unfold. I don't think any amount of reconstruction of fencing, I don't care what we do how we reconstruct the fence is in the end going to keep all kids out. It may help to deter some, but in the end you just can't build a swimming pool that is going to be fenced in when there is no supervision at late hours in the evening when you have 90 degree heat and you have kids.

I am asking anyone of us to put ourselves in that situation. I know what I would have done when I was 12 years old. I would be trying to get into that pool one way or the other. I appreciate the comments about parental and community response and monitoring but giving the amount of expenditures my worse fear is that some in the administration will use this as an opportunity to yet again say we have too many pools. We need to close some of the neighborhood pools. We need to run just a few pools and run them better, and before that happens I hope we will at least look at some other alternatives.

In the past I have raised the issue about Sonitrol being present at our pools on a 24-hour basis and on the basis of when we close the pool later in the evening. It was always put off as

something too expensive yet we just spent several hundreds of thousands of dollars by lawsuits that we have had to settle due to the two tragedies earlier in the East Hills area a few years ago.

So I think there needs to be maybe a discussion or rethinking a critical look of this whole issue of what we need to do and just as an immediate problem, Mr. President. I would maybe ask Councilman Ricciardi to take it up. In this heat for the next couple of weeks prior to the official opening of the pools, all the pools are filled with water. We're going to have a problem and unfortunately we may have yet another tragedy. And I don't care what kind of response time once you drowned or near drowned. It is just a matter of minutes in terms of loss of oxygen and the tragedy that could unfold including death.

If we're going to have these pools filled then maybe people need to come off of light duty and we station them at the pools. They can work in the evening hours starting at eight or nine o'clock until the evening after the kids are safe home in bed. But we may want to take light duty or people out on worker's comp and bring them in and to do nothing more than to just sit there with a cell phone to call 911. But this next two week period till the pools open could yet unfold another tragedy and again we keep looking at the cost but what is the cost associated with the loss of a child or the practical cost associated with the Edgar Snyder's of the world? So at some point we need to deal with this issue.

Mr. Onorato:

On a different point for the pools.

I was looking at the booklet we sent out here in the city. I remember this from last year and if Director Ashley who's new and we keep telling all the new directors we want them to think outside that box and to make the city work and to come up with new ideas. One of the things that we do at all of our pools which I know the pool that my family swims at, its ridiculous because no one shows up. We shut the pools down at 4:45 for an hour for lap swimming. I don't know why we can't shut down the deep end and let lap swimming takes place but keep the low end open. I mean a lot of time you get home from work you run up there with your kids at five, the pool is closed for a an hour. Keep the pool sites open.

If he's listening I would ask that you would instruct the head lifeguard to allow lap swimming for adults that's fine, but don't shut down every other part of the pool. We literally could not get into the facility for an hour and I think that's unnecessary. I think she should keep it open, let the kids swim in the low end, keep the lap swimming for an hour, don't shut down the whole pool. If he could do that, I would appreciate that. It really caused a lot of problems at the pool and I am sure we are not unique to this. It is all across the city.

The Chair:

Do you see a date there when they open?

Mr. Onorato:

June 19th the book says.

The Chair:

June 19th they officially open.

Mr. Ricciardi:

1:00 p.m. on June 19th.

The Chair:

One o'clock, eleven, twelve, why aren't they open longer?

Mr. Ferlo:

It's two weeks too late.

The Chair:

I do believe in all seriousness light duty people, volunteers, young people paying five or six bucks an hour, whatever, to sit there with a cell phone wouldn't be very expensive to protect our children for the future. Not just the older people get in have a few drinks, they could fall and hurt themselves. So it's a big temptation for people to jump in those pools especially this time of year.

Mr. Onorato:

One other point we also too, we always hear that we try to wait for the public schools to close before we open them. I want to point out that the County pools are open, they open Memorial Day and if I am not mistaken, the kids go to school out in the suburbs too. They're still in school but these pools should be open. I know it's an issue of lifeguards and how do we do it, but if you do regional ones, it is too hot, June 19th the summer is half over. We got to get these pools open.

The Chair:

This is a great time to open the major pools before five major ones to start getting the passes going and all that in place.

Mr. Ferlo:

If nothing else, Mr. President, I go back to my point that there may be a serious question about whether or not there needs to be water in the pool for the two week period that they are not going to be open. It doesn't make sense to me.

Mr. Hertzberg:

We did try to open the pools early. It was at least one season and possibly two. I think one of the seasons what happened was the weather was extremely cool. You never know, in fact sometimes in the middle of July you will have two weeks cold weather when we don't even open the pools then you never know. Obviously this year is a year that's been very hot and having some pools open would have been a great benefit to our residents.

I also would note that a letter from Duane Ashley May the 12th that a steering committee to oversee analysis of our swimming pool operation is being established. There is going to be a consultant hired funded by the Pennsylvania Keystone Grant and Mr. Ashley is asking each of us to recommend three leaders to serve on this steering committee.

The Chair:

I certainly urge everyone to get involved and we have been talking about it since I have been on Council. I don't know how much progress we have made

outside of-- I know The Boys' Club in Lawrenceville I certainly commend them. I think what they're doing as a local organization overseeing the pool is great and I am sure it can happen in every community where you get the right organization and really expand buses, getting the kids out swimming and we will have a much safer and better community.

Anything else on unfinished business? Thank you for your report.

Reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1710:

Report of the Committee on Finance and Budget for June 2, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1582:

Resolution providing for a contract for professional services with Grant Street Advisors, Inc. to provide financial advisory services for the years 1999, 2000 and 2001, an annual cost not to exceed \$250,000.00 an aggregate amount not to exceed \$750,000.00, chargeable to and payable from Account 583000, Fund 5100, Organization 106000, sub-class PGHPR, BY 1999, Project #2209990.

Which was read.

Also,

Bill No. 1658:

Resolution authorizing the transfer of Twelve Thousand (\$12,000.00) Dollars from the General Fund, account 593100, fund 1000, organization 500000, subclass 300, budget year 1999 to the Special Parks Programs Trust fund, account 593100, fund 7314, organization 500000, subclass 600, budget year 1999 all in the Department of Parks and Recreation. (PRESENTED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 1663:

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's Workers' Compensation program, at a cost not to exceed \$3,360,000.00 Department of Personnel.

Which was read.

Also,

Bill No. 1664:

Resolution Granting the Pittsburgh Water and Sewer Authority a permanent utility easement and privilege and license to install, use, operate, maintain, repair, renew and finally remove a 15-inch sewer line across City of Pittsburgh property designated as Block 6-A, Lot No. 97 located on South Main Street in the 20th Ward.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Under Bill 1582 it has come to my attention I believe I have spoken with most of you, the Grant Street Advisors we have questioned quite often the cost of the bonds, we have debated. I would like a motion to recommit that bill. I have a document from the county for \$100,000,000 bond issue. We pay a dollar and they pay 30 cents. I think the Grant Street Advisors should come over and explain this and bring it back to the table.

MR. UDIN moved to recommit the bill.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion on the other bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Ferlo voted no on Bill 1663.)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1711:

Report of the Committee on Planning, Zoning and Land Use for June 2, 1999, transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1518:

Resolution approving a Conditional Use Exception under Section 911.04.A.64(a) of the Pittsburgh Code, Title Nine, Zoning, Article, Chapter 911, to Ellis School for authorization to construct a 3-story building and two 1-story extensions to the existing school building located on the campus of Ellis School at 6425 Fifth Avenue on property zoned "RM-3" Residential Multi-Unit Moderate Density, 7th Ward, Council District 8. (HEARING HELD MAY 26, 1999).

Which was read.

Also,

Bill No. 1519:

An ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A

Zoning District Map No. 7 by changing from "C6-A" Downtown Riverfront District Area to "C6-B" Downtown Riverfront District Area "B" all that certain property bounded by North Shore Drive, Allegheny Avenue, the "M1" and "R5" Zoning District boundary line located south of Ridge Avenue, the "C6-B" Zoning district boundary line located east of Allegheny Avenue and Stadium Drive, 22nd Ward.

Which was read.

Also,

Bill No. 1520:

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article IV, Chapter 910, by revising the site development standards for height of structures in the "DR-B", Downtown Riverfront, Sub-district B.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. Obviously, I am a supporter of the Plan B initiatives and certainly the construction of the convention center and a baseball park and a football field. But I am going to have to abstain respectfully on Bill 1519 and 1520 for two reasons at this time.

First of all, I think its premature to give this final zoning approval without at

least seeing some better rendering and a better plot plan and more specifics on what the new football park will actually look like. Both what it looks like, and how it is situated on the site. Also, how it relates to the rest of the development for North Shore. This would be our one opportunity if we vote for this. It really won't come back to us formerly for any input.

At PNC Park there were a number of votes that we were allowed to take and we had ability to engage with the Pirate management group and other interested parties. I think our comments and concerns that we raised I think eventually lead to a better construction project for PNC park at least. Unlike that situation we're being asked to give final approval here today. We had a beautiful artist rendering of what the stadium, football park was supposed to look like, football stadium, but it is just a rendering. I would have liked to have seen much more detail including an opportunity to discuss some issues with the architect and the engineers and the like.

I am going to have to abstain if we vote on this today. I just don't like the process that we are agreeing to here. Secondly, I raised this concern and no one specifically has responded to my question. It seems as though and I recognize that both interest groups, the Pirates and the Steelers certainly want to get the best talent, architectural and talent that we have in the country, but I am concerned about all the list of vendors, architects and engineers, construction, companies, contractors, subcontractors. I still don't have a sense of what the ratio is between non-city, Allegheny County businesses versus out of state business that are employed or gaining benefit economically

from all this construction. I am concerned about whether or not other contracts are being chosen and approved without due consideration given to a lot of expertise and talent that exists in the Pittsburgh and Allegheny County region. I am talking about businesses and companies.

Until I see a list I am not comfortable voting on this. I know the major architectural firms are employing hundreds of people. They're all sitting in offices in Saint Louis and other cities around the country. Some have been subcontracted with locally, I appreciate that but at some point I would like to see a more comprehensive list of all the different vendors and companies and businesses that have been contracted with. I am also concerned that other non-state contractors are being promoted to do business at the expense of others locally that have expertise and should deserve an opportunity to gain economically from this construction. And so I am going to abstain on both of these bills.

The Chair:

Any other comments? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Diven abstained on Bill 1519. Mr. Ferlo abstained on Bills 1519 and 1520. Mr. Ricciardi voted no on Bills 1519 and 1520.)

Bills have received the legally required number of votes and have passed finally.

Mr. Ferlo:

Mr. President, notwithstanding the final vote, I would like to ask that the authorities comply with our request for a list of companies and contractors that have been engaged for construction related activities at the three projects.

The Chair:

You want to put a verbal amendment to this that they at least send this?

Mr. Ferlo:

I don't want to amend the actual zoning code but if we can at least have the Clerk file. I mean, I think everyone on Council is interested in knowing, or maybe they're not interested in knowing.

The Chair:

We're very interested. It is amazing the doors open and the trains out and I don't know how we stop it or slow it down. You know I hear some positives and I hear some negatives.

Mr. Ferlo:

I don't want to slow anything down, I just want to know that we're doing

our best to make sure that those who have expertise and talent locally get employed, I am talking about business stuff.

The Chair:

A lot of the business people I know say they can't get a job here but they are experts in other cities. It is like everyone is an expert if they are from New York or Saint Louise. Unfortunately we have a lot of talent here and people have been avoiding it.

Mr. Udin:

I have an idea. Why don't we pass some legislation that requires a certain percentage of residents be employed on these projects?

Mr. Ferlo:

Why don't we stop promoting companies from Atlanta and other states for construction activity?

Mr. Udin:

Those companies from Atlanta and other states employ Pittsburghers.

The Chair:

Is the vote -- do we have all the votes in?

MS. MCDONALD PRESENTED:

Bill No. 1712:

Report of the Committee on Housing, Economic Development and Promotion for June 2, 1999, transmitting one resolution to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 1656:

Resolution providing for an Agreement or Agreements with Miryam's, Northside Common Ministries and the William and Mildred Orr Compassionate Care Center for administrative, operating and/or renovation costs for the shelters under the State Emergency Shelter Grants Program.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discuss on the bills? Bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1713:

Report of the Committee on Parks, Recreation and Youth Policy for June 2, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1659:

Resolution Amending Resolution No. 216, effective 4-20-99 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$102,500.00 chargeable to and payable from Account 593100, Fund 1000, Organization 500000, Subclass 300, Year 1999 in the Department of Parks and Recreation." by eliminating the Brighton Heights Athletic Association \$12,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1714:

Report of Committee on Public, Safety Services for June 2, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1682:

Resolution providing for a contract or contracts; or the use of existing contracts for the purchase of fire hose and related accessories for the Fire Bureau and providing for the payment thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

I would like to make a motion to cancel the public hearing regarding safety and firearms.

MR. UDIN moved to cancel the public hearing on firearms.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Also, I would like to request that the City Clerk place the bill on Wednesday's agenda and request that the City Solicitor be present.

Mr. Ferlo:

Mr. President, is there a reason why we're not having the public hearing? I have gotten a number of calls both pro and con.

The Chair:

Again, I thought the hour is running so late. I believe the Solicitor and Doug Shields from my office went to Harrisburg. I mean went to Washington over the weekend. They left Friday. There is a lot going on. I think the information we would have I don't know if I want to put everyone through a public hearing.

Mr. Ferlo:

Thank you.

Mr. Ricciardi:

Yes, thank you I want to bring this up for matter of discussion, I don't want to catch anyone off guard tomorrow. Colleagues, as you know tomorrow, we will have some initial discussion on the resolution to expand the historic designation in the Southside. I want to make this very clear that the URA is owner of the property. So with that, with that up front I wish that the URA does not or if the URA is invited to the table that the community should also have a seat at

the table.

Keep in mind that the URA should not have the ability to come to the table discussing the bill as an extension, or as an authority. They actually are owners of the property. I don't want to wait to tomorrow to object. Someone is going to bring our wishes for the URA to be at the table. I don't have a problem with that, but then the community will have to have a seat at the table also. Thank you.

Mr. Udin:

Different matter. The Plan B oversight committee meets every two weeks and I want to invite any members of Council to attend any of those meetings that they wish. At those meetings all of the contractors on the Plan B related projects are discussed and analyzed. Their minority participation, their women owned participation, their location. This is the second week when there has been some innuendo suggested that there is some untoward practices going on with out of town contracts. I would invite any members of Council to attend those meetings. There is nothing secret going on and what we are attempting to do is to maximize the opportunities for Pittsburgh residents and Pittsburgh contractors to get work. If there is anyone who doubts that, I would suggest that they come to the meetings rather than to suggest sly innuendoes.

Mr. Ferlo:

Mr. President, just in somewhat response to be clear. This Council, myself included, as a legislative body plays a key decision making role in lots of decisions involving major construction and major

development in this city from zoning to allocation of dollars you name it. Not at one time has the Mayor formally communicated to the President and members of this Council about this so called committee, its formation, its purpose and intent, its review status whatever you want to say, I am pleased to hear that. That is the first time I have actually heard about this clandestine committee from my colleague. It would have been nice if the Mayor representing the city and whose obligated to communicate to this legislative body would have communicated formally and invited our participation on this committee. Including the fact that several of my colleagues who sit on the two if not three authorities involved have never been solicited for their input on this august committee.

The Chair:

I would request a schedule when the plan meetings, time and place of those meetings.

Ms. McDonald:

They are every two weeks. There was one held this past Friday. I believe that was June 4th at two o'clock p.m. They are held most of the time on the 13th floor, the Wherett Room 200 Ross Street. For Councilman Udin, he Chairs the meeting and sends out the invitations. I am sure he will either email or fax or have an actual written letter announcing the times and dates of the Plan B oversight committee meetings. Last Friday scheduled one another two weeks.

What I wanted to bring up is to let the public know, especially Council

District Nine that I will be scheduling a community meeting. I have not yet scheduled it but I will give notice when I do have a date to address the Traveler's Club and possible closing of the Traveler's Club.

I do want to commend our District Attorney Steven Zappala because not only is he doing the investigation, he's taking an aggressive stance and is putting a number of businesses on notice that there are things that will not be tolerated any more. I agree with that. But he also has the (inaudible) to know to call the elected official that is impacted and work with that elected official which happens to be myself and State Representative Joe Preston in that area to be able to dialogue with the community in terms of what is best for the community.

Closing down may seem simplistic. It may be necessary, but by the same token it may not. So again, there are -- it is not just a black and white issue, there are many gray areas that are involved in issues such as this. I will be having a community meeting to discuss this and the DA will make himself available so that he can let the Homewood Brushton East Liberty Community know of the outcome of the investigation fact finding and we will go from there. Thank you.

The Chair:

While you are on it, I publicly would like to thank DA and the Chief of Police, the FBI and the Attorney General's Office for attending a well attended meeting in Hazelwood concerning all the violence. We had close to 300 people there. It was very informative and I think it showed that the community of

Hazelwood is 99 percent solid, good people.

We have a few problems and we as a community will not tolerate what has happened. I believe I am not just speaking for Hazelwood but across the city. Those communities that are in the pockets of this violence, has to stop. I think the people there got down to business. They got by the politics and I think they put it real hard on all the Chiefs and his people that we need more police. We want them in the right areas and it up to their leadership and their management to do a much better job than we have seen in the past. Again, the Police have not been criticized but the management of some of the police management is questionable and we're very tired of hearing for the last two years that they are under investigation.

Anything else to come in front of Council? If not, a motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIU Deputy City Clerk

Pittsburgh, PA
Tuesday, June 18, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are honored to have four students from McCleary School in Councilman Ferlo's District. We have Nicole Miller she is in the second grade and she is eight years old. We have James O'Neil in the fifth grade and he's 10 years old. Valerie O'Neil is in the third grade.

She is eight years old, and Billy Baumbach 11 years old and he is in the fifth grade.

Nicole Miller, James O'Neil, Valerie O'Neil, and Billy Baumbach:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under god indivisible with liberty and justice for all.

The Chair:

Thank you. They're accompanied by Charlotte O'Neil, the parent, who also works at the school. We have a gift for you guys and we will get a picture.

PRESENTATIONS

Mr. Cohen:

Thank you. Would Tom McMillin, the Vice President of Communications for the Penguins, come up please?

There has been a lot of controversy surrounding the Penguins lately of course and the franchise and the lease and who is going to own the Penguins. Certainly a lot of ink on our newspapers and a lot of air time on our radio and TV stations about the whole issue of the Penguins. What I wanted to do was just bring it back to what our primary focus should be and that is to keep the Penguins here and to try to convey to all the parties that the most important thing is civic pride as well as corporate profits.

I can understand how the corporations certainly want to make sure that the bottom line serves their interest, but at the same time the bottom line for the people of Pittsburgh is to keep the Penguins here so that's why this resolution is before us.

MR. COHEN PRESENTS:

No. 1715 WHEREAS, since 1967 the Pittsburgh Penguins have brought honor, recognition and pride to the City of Pittsburgh; and

WHEREAS, the Pittsburgh Penguins have exemplified the image of the City of Pittsburgh by showing that determination; hard work and strong character can build a champion; and

WHEREAS, the Pittsburgh Penguins have proven their commitment to excellence by skating to five division titles and have enshrined Pittsburgh's place forever on the Stanley Cup by winning consecutive championships in the 1990-1991 and 1991-1992 seasons; and

WHEREAS, off the ice the Pittsburgh Penguins organization is a leader in community service and provides an outreach program which benefits a wide range of charitable, social service and educational programs throughout western Pennsylvania; and

WHEREAS, the Pittsburgh Penguins provide residents with a sense of pride and a quality of life which makes Pittsburgh an even better place to live and work; and

WHEREAS, the Pittsburgh Penguins provide tremendous economic benefits to the City, not only through amusement and parking taxes but by increasing our tourism and hospitality industry.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend our Pittsburgh Penguins on their thirty-two years of proudly playing hockey in the City of Pittsburgh and encourages all interested parties to work together to assure the Pittsburgh Penguins continue their illustrious history and presence here where they belong.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. As we all know there is a deadline that is fast approaching, June 24th deadline for a plan to be put together and for owning the Penguins and making sure that they stay here in Pittsburgh for many years to come. I just hope that as the parties work through it, and I think they are working through it, that they keep in mind that the most important thing is to make sure the Penguins stay here. And make sure they continue on the successful path on the ice as they have for many years. So, Tom, I wanted to present this to you and ask you to say a few words.

Mr. McMillin:

Thank you very much, Dan. Thank you, President. I had the pleasure to speak with many of you during this battle. As you know it has been a tough battle but we are all Pittsburgh natives or Pittsburgh area natives. We believe in this and I think finally after the battle we're finally focused on coming down to June 24th and getting this done for everyone in this area. This certainly helps and thank you, we will keep plugging and hopefully there will be 32 more years and beyond that. Thank you again.

The Chair:

Also, Tom, we want to congratulate Mr. Lemieux on an outstanding event, he raised a lot of money for charity and cancer.

Mr. Ferlo:

Thank you, Mr. President. I would like Danette Vehmen (phonetic) to come forward from the PrideFest Committee, Councilman Cohen, supporter of the resolution and more importantly the March and event takes place mostly in Councilman Cohen district.

MR. FERLO, MR. COHEN, MR. DIVEN, MR. HERTZBERG, MS. MCDONALD, MR. RICCIARDI, AND MR. UDIN PRESENT:

No. 1716 WHEREAS, all forms of discrimination undermine the fundamental principle of civil rights on which this nation was founded: that all people are equal under the law; and

WHEREAS, during the month of June, "Pride" celebrations are held all across the world in recognition of the

"Stonewall Riots," the birth of the modern gay liberation movement 30 years ago; and

WHEREAS, over the past two decades the rich ethnic, social, and cultural heritage of our City has been further enriched by the lesbian, gay, bisexual, and transgendered community, which has become more visible and active in promoting the rights of sexual minorities; and

WHEREAS, "Celebrating Stonewall 30" is the theme of the Pittsburgh PrideFest, a festival in celebration of the lesbian, gay, bisexual and transgendered community which will take place on Saturday, June 19, 1999 at Mellon Park in Point Breeze following a parade through Shadyside; and

WHEREAS, numerous cultural, social and commercial activities in the City of Pittsburgh have been scheduled for this week to benefit local organizations and individuals;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, June 19, 1999 as Lesbian, Gay, Bisexual and Transgendered Pride Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. This is a

significant event certainly in the city and carries on a great tradition nationally and in many urban areas and rural areas and certainly builds on the history of fighting back against discrimination.

One of the themes certainly this year needs to be focused in on the Pennsylvania State Legislature. I am very thankful that our Attorney General Mike Fisher, our former colleague and now Senator Jack Wagner and others have been supportive of the Pennsylvania hate crimes legislation which is both in the Senate and the Pennsylvania House.

I think it would be imperative for the state legislature to move this year on this bill. Certainly the horrific of Matthew Shepherd and unfortunately all too often many incidents of this kind of activity that's happened in our own community and across the commonwealth. So this bill certainly needs to be a focus as well. I hope that this community really mobilizes for the fall.

There is an important general election that involves the future direction of county government, I think there are clear distinctions between the two candidates. One candidate happens to be a board member at a major university that continues to discriminate openly and publicly against gays and lesbians, that is the good old University of Pittsburgh.

So there are a lot of issues that this community needs to be involved in. I think it is very appropriate that the June theme is remembering the character and the history of stone wall and all that's transpired since that important historical event within this community. So I am looking forward to participating in the

event. I wanted to ask Councilman Cohen to say a few words first and also we have a guest here Danette Vehmen. Danette is one of the organizers of the PrideFest Committee. We want to thank her for being down here also.

Mr. Cohen:

I am going to put politics aside for a moment and just congratulate the organizers on this parade. It's a parade and a festival afterwards at Mellon Park that I try to attend every year. It gets better and better every year and there actually is a lot of organization, a lot of planning that goes into it. Particularly at the festival afterwards at Mellon Park, there are many different performances. There's singing, there is dancing, there is poetry, there is speeches, and certainly a lot of activity going on that day.

I am very proud that it happens to be in the district that I represent and look forward to joining you again this year.

This PrideFest is really a celebration. A celebration of a community that is very important to the City of Pittsburgh and certainly one that keeps moving forward. Sometimes it seems like it is two steps forward and one step back, but we continue to move forward and move forward for civil rights and equal rights for all. So congratulations.

Ms. Vehmen:

Good morning and greetings. I bring you news that as a growing community globally Pittsburgh is on the forefront especially as it was deemed the gateway to the future in 1958 at the bicentennial celebration. With the passing of the domestic partnership allowance, it

allows the constitution to be followed for life, liberty, and the pursuit of happiness for all.

As a member of the committee I would like to invite all of you to attend. With the diversity of our group we find that each of us has something to contribute to the community. In the celebration because of stone wall 30 years ago, we were looked at as people instead of queers. As becoming people and citizens of the community we support the community and hope that the community continues to support us.

I would like to thank Mr. Ferlo and Mr. Cohen for their bringing this to the forefront of the public that we are people and we appreciate being recognized as such. Each of us is an individual, have our own contributions to make but as a community of bi, transgendered, gay and lesbian people we feel that we represent people in general. We are of all colors, of all nationalities, we are in all job opportunities as well as all professions.

Like I said, you are all welcome to come join the celebration. This is a celebration of people not so much of our sexual orientation. So please come and you're all welcome and I thank each and every one of you.

The Chair:

We have two to be read into the record.

MR. RICCIARDI PRESENTS:

No. 1717 Whereas, Matthew McCaskey is a fourth grader at Beltzhoover Elementary School who

discovered what looked like a gun on his way to school one morning last April. The gun was on the porch of an abandoned house located along Matthew's route to school; and,

Whereas, Matthew's first impulse was to take the gun to the school office, but, remembering the words of Officer Friendly and the Youth Crime Watch Program to "Never Touch A Gun!" Matthew ran to school and reported the gun to his Principal, LaVerne Anthony; and,

Whereas, the police were notified and, with the permission of Matthew's foster parents, Walter and Vanessa Neal, Matthew accompanied the school social worker, Mrs. Dengler, back to the abandoned property to show the police the exact location of the gun; and,

Whereas, many neighbors expressed their gratitude to Matthew for alerting adults to the potential danger represented by this gun; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Matthew McCaskey for doing the right thing and reporting the gun to school authorities and the police, and declares Thursday, June 17, 1999, Matthew McCaskey Day in the City of Pittsburgh.

Also,

No. 1718 Whereas, Opportunity Through Baseball is an innovative program designed to bring together at-risk boys with baseball talent from disadvantaged areas across America to

attend an intensive summer baseball camp; and,

Whereas, Each year since the program's creation in 1994, 50 boys are chosen by the major league baseball teams in seven cities throughout the country to attend a rigorous three-week camp, all expenses paid, at Regis University in Denver, Colorado. Each day's activities include three hours of baseball instruction, three hours playing baseball and evening activities including personalized educational tutoring and motivational counseling; and,

Whereas, since 1994, 41 Pittsburgh area youths have had the opportunity to attend Opportunity Through Baseball. The boys, ages 11 through 14, are selected by Jon Mercurio, Pittsburgh Pirates Director of Amateur Baseball, and Lou Polito and Sam Mastromatteo, Directors of Pittsburgh City Parks B.I.G. League Program; and,

Whereas, attendees of Opportunity Through Baseball return to their neighborhoods as role models with improved athletic skills, greater motivation and a more positive attitude; and,

Whereas, Opportunity Through Baseball President and Founder Howard H. "Bo" Calloway, Executive Director Kay Riddle, Camp Director Jerry Renner and all of the staff members of Opportunity Through Baseball program are to be commended for their commitment to young people and a better America; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Opportunity Through Baseball on 6 years of service to the young

people of the City of our nation and declares Tuesday, June 15, 1999, Opportunity Through Baseball Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

We will now allow time for public comments. Anyone wishing to address Council will you please come to the mic. Give your name and address for the record. And you have three minutes to address Council.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street. I am standing with my son and I hope they have him so you can see him. This is my grandson and he's Laycee he's four years old. We just walked down from Center and Crawford Street because we were participating with many people neighbors and friends in the March for jobs. This was today.

Many people are asking that the Pittsburgh community as a whole to support the Pittsburgh Works. We're asking that Mr. Rooney, the head of the Steelers, because I had spoke to him earlier. When I told him how his father said that he made a lot of his money off of lucky money. So we're asking that

Mr. Rooney and all the baseball teams, the Penguins and the people that are going to support them please come to stand behind us. What we're asking for is the opportunity to be able to have a gainful living and this is for people of Pittsburgh, not just black, which a lot of people are trying to make it. But if you go up there and look in our neighborhood is it very pleasant to see the people that have no jobs and are not given the opportunity to get gainful employment.

I am asking that people look past the color. We need to look at the human beings. I was reading the paper just a couple of minutes ago and they were talking about the hungry children. And that even if their parents doubled their wages they would still be hungry. We have a lot of people in the poor neighborhoods who have not been considered for employment. I was here when I heard a black contractor, Mr. Wright, and how he explained that the Housing Authority discriminated against him. I had the transcript but I saw Calvin Clinton, he is the President of the African American Workers Union. He explained that they kept that name but everyone is included not just black or minorities. On his paper it has that this union is for solidarity, excellence, equality, and prosperity for all.

Now I brought my grandson with me because I am starting him off young, because he has to be able to speak for himself, because when you put the politicians in there, there is a lot that don't.

I want to ask one question and I know you're not going to answer but people in the outside you need to here. It is too late. Thank you.

The Chair:

Next speaker please.

Mr. Hardy:

Hello, my name is Malcomb Hardy, North Side resident. I am here today to speak on behalf of the Pittsburgh Works initiative. I come before this body today as a resident, as a North Side homeowner, as someone who ran for City Council. We just completed May 18th and in that span of time and in running and going door to door from January to May, I have run into many people who have said the Pittsburgh Works initiative makes sense. That it talks about decency, that it talks about pride in our city. That it talks about willingness of this city and people who live in it to make a difference and make change.

I think it brings the playing field a little bit even. I think it brings decency and there are people that don't know this piece of legislation but they agree with it because it makes sense and it is fair. When someone asked well, Malcomb, what about quotas? I say put quotas aside because with me you're having an argument and with other people it's nothing but an argument. It's a distraction. We talk about fairness, people understand that. When people are afforded the opportunity to be employed, to display their craft to discriminate, I can't say-- to show their quality of work their pride in their work, Pittsburgh excels.

Pittsburgh Works makes sense because it is decent. The Pittsburgh Works initiative will enable CD residents to move forward. So many times I hear Tom Murphy say I want to find ways to

move this city forward and we look at technology initiatives, but we need to look at people initiatives.

I support Pittsburgh Works because it increases employment opportunities for people who live here in Pittsburgh.

Number two it obtains compliance.

Number three because 35 percent of the jobs will go to qualified workers. Now where are the other 60% of the jobs going? To the people who happen to live in the suburbs. Does that make sense? I support this legislation because it supports apprenticeship programs. We are talking about youth that want to go into these jobs.

Last but not least, my father, born in 1919, passed away in March. He said to me and he was a laborer and I support unions. He said Malcomb, I asked him, why are you retiring early when you don't have to retire at 59 you can wait until 65? He said Malcomb, let me tell you something. There is a man or a woman that has a family, that wants a family, that wants a job, that wants the opportunity to move up in life. Let me step aside.

City Council, put aside your differences, put aside the fact that you may not have a job for other people that are out there saying that if you support this we will not back you when you run again. Support the people of Pittsburgh. God bless you. Thank you.

Mr. Mitchell:

Lonnie Ross Mitchell, 136 Proctor Drive. I do believe I am in Ms. McDonald's area. I just want to speak. I joined the march from Freedom Corner

down to downtown today. I just wanted to say that I understand people perceive Mr. Udin's bill that he sponsored and he wants you to vote on as forcing something that is just. It is perceived as forcing the workforce to pull things that aren't there.

If you are a skilled tradesman for the job and qualified for the job that this bill would qualify you for, there is no reason why if you're a Pittsburgh resident and can move your residency as I do believe that it used to be -- is it still required for a police officer and paramedics and fire to be city residents, officer? Did they change that?

Mr. Cohen:

No questions.

These are to be statements.

Mr. Mitchell:

Well that's part of the perception. If you have a uniformed public figure such as that in the workforce representing Pittsburgh, I can see how it can be hard to make it uniform for you to be a city resident to work on a city contract but rules are bent all the time.

I just wanted to say that I support Mr. Udin's bill. 35 percent is reasonable. I hope it goes through. I will sign the petition when I get a chance. If you can look at it as an opportunity to force people to maybe go to CCAC even more formidable school, get that certificate, that certification, that degree, whatever, make yourself qualified and very important also perceived this is not a race thing. That can't be reiterated more poignantly. If you are a city resident of age and can prove it

and have the credentials for the work whether this goes through or not, if you have the credentials for the work, and you are willing to work, there is no reason why you shouldn't just put in an application.

If you are a union member, let your union membership know you're still out there and have your tools or whatever you need to work. I am just telling the backs of hard workers, my father included, even though he was in management he had to do what had to be done as far as everyone that pulled together. It's a team effort. This is our corner of Pennsylvania, it's a team effort let's be a team. Thank you.

The Chair:

Any other speakers?

Mr. Sell:

Thank you. My name is Jack Sell. I am here this morning with my wife, Marilynn. We are property owners on the North Side, on a property known as 1515 Warren Street in the Fineview district. It's adjacent to a piece of property known as 425 Jay Street that was put up by the city in a public bid in February that was a sealed bid.

My wife and I attended the opening of the bid in the Real Estate Office. We were the only ones in attendance I might add. But at any rate, we were the high bidder on the property. So we bid \$10,000 and I have a sentimental attachment to that area. The home has been in my family for a hundred years; it was built by my grandfather. As of this date even though I was the high bidder, my wife and I, we don't know why we have not been offered the deed to the property by the city. And I

am here this morning to see if I can get an answer.

Mr. Onorato:

The gentleman is absolutely correct and it's my understanding that the Law Department and Real Estate are meeting tomorrow morning to resolve this issue. This is once again an issue where you have proposed development of 12 new homes versus a side yard program. The city's going to make a decision which way they want to go with this and the real estate, both for Mr. and Mrs. Sell's knowledge they have to know and for the community group to see if the development can go forward.

The other issue is the Side Yard Program. The priority that is given to side yard program for owner occupied. I think this particular property is a rental property and they are working through all the legal requirements now. But there is a meeting tomorrow morning scheduled to address this issue. As soon as I get an answer from them, I will be calling Mr. and Mrs. Sell and letting them know or at least having the Law Department call them and put them on notice on what is the status of that piece of property.

Mr. Ferlo:

I would encourage this gentleman to sue the city because I think the majority of my colleagues and the administration have acted inappropriately, counter productively and as far as I am concerned illegally. The city put out a competitive bid. This gentleman is the adjoining property owner. I believe it is a larger rental property. I believe these folks may have lived out of state, at least that what

was said at one of the hearings.

I think this Council failed to act responsively. I think we should have agreed and consummated that transaction as well as the Lockhart Street, and I think this gentleman should sue the city.

The Chair:

Is this the same property that the other gentleman had problems with?

Mr. Ferlo:

Parallel.

Mr. Onorato:

It was the same day.

Mr. Ferlo:

Involved the same politics.

The Chair:

Same organization?

Mr. Onorato:

No, this is up in Fineview.

Mr. Ferlo:

I would urge that Council untable the bill and consummate the transaction.

The Chair:

I believe Mr. Onorato is still working on that and I --

Mr. Onorato:

That might be the actual result tomorrow.

The Chair:

You want to update us on the status of that now, or next week?

Mr. Onorato:

Next Wednesday if -- it might be exactly what Councilman Ferlo said. It might be untabled and put forward exactly the way it is.

By next Tuesday it will be resolved. Next Wednesday I am sorry will be the motion to either untable or untable and do with what we have to do with it.

The Chair:

That would include his property?

Mr. Onorato:

Yes, that piece of property.

The Chair:

Please keep in contact with Mr. Onorato.

Mr. Onorato:

They have been calling and Dorry I have told them we have to wait until the Law Department makes a decision but it should be resolved real soon.

Mr. Sell:

I appreciate that, Mr. Onorato. I might add though if I may that I have

called your office every day last week, some days several times. I am happy to hear this morning that I do have an answer from you. At least it seems like something

Mr. Onorato:

You don't have an answer yet because I am still waiting to hear from the Law Department, from real estate. That's the same thing I have been telling Dorry in my office that that's why I didn't call you back because I don't have an answer for you yet, but I should know hopefully tomorrow.

Mr. Sell:

Thank you. May I ask another question? This meeting tomorrow would it be possible for my wife and I to attend to have some input into it?

Mr. Onorato:

I will find out. It is not my meeting. I will find out.

Mr. Sell:

May I call you this afternoon for an answer to that?

Mr. Onorato:

Yes.

Mr. Sell:

Thank you very much.

The Chair:

Any other speakers to address Council? Hearing none, move to

presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1719 Resolution amending resolution #24, effective February 11, 1999, PROVIDING for an agreement (s), or use of existing Agreement(s) and/or a Contract(s), or use of existing Contract(s), and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment of the costs thereof, by increasing the amount by (\$10,000.00) from \$65,000.00 to \$75,000.00

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 1720 Resolution amending resolution No. 282, effective May 19, 1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts for the purchase and installation of new traffic and streetlight poles and fixtures at Seventh Street and Penn Avenue; at a cost not to exceed \$40,000.00," by providing for a Reimbursement Agreement with the Pittsburgh Cultural Trust.

No. 1721 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with various City projects; at a cost not to exceed \$150,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1722 Resolution amending Resolution 75 of 1999, effective March 03, 1999, providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, at a cost not to exceed \$450,000.00.

No. 1723 Resolution providing for a Contract or Contracts, or the use of existing Contracts and/or an Agreement or Agreements, or use of existing agreements, and for the purchase of materials, equipment and supplies in connection with the Graffiti Removal Program at various locations throughout the City, at a cost not to exceed \$45,000.00.

No. 1724 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of equipment for the Department of Public Works, payable from Account 542100, Fund 1000, Org. 420000, Sub 120, Budget Year 1999, Specialized Landscape, Department of Public Works, at a cost not to exceed \$50,000.00.

No. 1725 Resolution providing for a Contract to be bid, for the purchase of a Weight Mate 2000 Truckload Out and Management System, in connection with the Street Resurfacing Program at the

Public Works Asphalt Plant, at a cost not to exceed \$20,000.00.

No. 1726 Resolution repealing resolution No. 93 approved March 10, 1998, entitled "Granting unto The Buncher Company of 5600 Forward Avenue, Pittsburgh, PA 15217, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman Street, extending to 14th Street, 2nd Ward, 6th Council District of the City of Pittsburgh," and granting unto the Buncher Company an easement in accordance with the attached Easement Agreement.

No. 1727 Resolution granting unto Alain Pizzutti, Le Perroquet, 709 Bellefonte Street, Pittsburgh, Pennsylvania 15232, the privilege and license to construct, maintain and use at his own cost and expense, a sidewalk café and planter on the sidewalk area of 709 Bellefonte Street, in the 7th Ward, 8th Council District of the City of Pittsburgh.

No. 1728 Resolution granting unto Ironworkers Local No.3, 2201 Liberty Avenue, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a historical marker on a portion of the sidewalk area of Grant Street, in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 1729 Resolution granting unto Allegheny University Hospital, Allegheny General, 320 East North Avenue, Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment

to construct, maintain and use at their own cost and expense, a pneumatic tube conveyance system, fiber optic cable and electrical conduit and manholes for access on a portion of the right-of-way of Hemlock Street, in the 22nd Ward, 1st Council District of the City of Pittsburgh.

No. 1730 Resolution vacating portions of Dalemount Street in the 20th Ward, 4th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 1731 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and the Soffer Org., or an entity to be formed, for the sale of parcels B&C in Subdist. I (A) and Parcel D in Subdist. II (B) (Pt of B&L 29-J-6) in the 16th Ward of the City in Redevelopment Area No. 55- S. 26th St. E. Carson St. proposed Gateway Blvd. & the Monongahela River Council District #3 (mixed office/retail development.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 1732 Resolution transferring the amount of eighty-five dollars (\$85.00) from City Council Sub Class 150, Misc. Services, Account: 526100, Org: 101110, Fund: 1000, Budget Year: 1999 to the following accounts: sixty dollars (\$60.00) to the Zoning Board of Adjustment, Code Account #462180, Fund 2404, Org. 272000; and twenty-five dollars (\$25.00) to the Zoning Board of Adjustment, Code Account 474320, Fund 2303, Org. 274100.
---(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1733 Resolution carrying over balances or portions thereof remaining in certain Accounts for the year 1998 to the same or to other Accounts for the year 1999.

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1734 Communication for City Controller Tom Flaherty, submitting a

Special Report on Stadium Lease Comparisons with 13 U.S. Cities for the National Football League

No. 1735 Communication from John Hanna, Executive Director of the Pittsburgh Water and Sewer Authority, submitting the annual list of employees, salaries and positions for 1999.

Which were read, received and filed.

MR. HERTZBERG moved to receive and file.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come in front of Council? Hearing none, move to reports of committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 1736:

Report of the Committee on Finance and Budget for June 9, 1999, transmitting one ordinance and sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1645:

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 6th Ward, 48-R-25, to

Exxon Corporation for the sum of \$70,000.00.

Which was read.

Also,

Bill No. 1661:

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Fried, Kane, Zuschlag, Walters & Grochmal for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims, at a cost not to exceed (\$190,000.00), chargeable to and payable from WCCTF, Workers' Compensation Commutation Trust Fund Account 574300, Fund 7520, Organization 109000, Sub Class 600 and Budget Year 1999 Department of Personnel and Civil Service Commission.

Which was read.

Also,

Bill No. 1662:

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Ford & Council for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims. The total amount payable under this Resolution will not exceed \$80,000.00.

Which was read.

Also,

Bill No. 1684:

An Ordinance amending the Pittsburgh Code, Title One, Article XI, Personnel-Section 181, General Provisions, Subsection 181.10(a) Attendance Allowances by changing the reimbursement rate from [\$5] per meeting to [\$15] per meeting. —(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1687:

Resolution providing that the City of Pittsburgh enter into a professional services Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, evaluation, validation, preparation, administration, scoring, and interpretation of Civil Service examinations, and providing for the payment of the cost thereof. Cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 1383:

Resolution requesting the City Solicitor to file a legal action, in either state or federal court, to recover damages and other relief by various gun manufacturers who fail to institute specified safety guidelines. (SPONSORED BY MR. O'CONNOR AND MS. MCDONALD)

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. I am all for law firms to be gainfully employed but I don't believe with the expenditure that we're spending for the two law firms to represent the city on workers' compensation matters. I note that the two law firms be hired add up to \$270 thousand in yearly legal fees. By comparison of another firm, Dickie, McCamey and Chilcote, representing the City Controller's Office, I believe that annual contract has gone from eight or nine years ago to be \$50,000 to this past year I think it was about \$80 thousand. They're interacting with the Controller's Office probably ten times more on a daily basis than these two law firms that will be receiving income from the city for worker's comp representation. That's equivalent of six half Assistant City Solicitors or three or four attorneys and clerical and support staff.

I think we should represent ourselves in these matters. We could save money and I think we can do it more cost effectively. I think this is a waste of money and I have always stated this. I think professional contracts are the newest form of political patronage. And I don't think we're being very thoughtful here. So I am going to be voting no on that, on those two bills.

As far as the gun bill, we should go after the criminals and leave the companies alone.

The Chair:

Any other discussion? Now that you mentioned the gun bill, I just want to

thank my staff, especially Doug Shields, and a lot of people have been involved with that cosponsors. I know Ms. McDonald, Mr. Cohen has been very active, Mr. Hertzberg I believe it is the right thing to do. If you heard all the rhetoric and coming out of Washington no matter what the President proposes, it is shot down. All it takes to me is good common sense.

I believe we can move in the right direction for the next future of our kids. The next ten, 20 years just compare it to the auto industry how safe cars have become the last 20 years. I believe it is a signal that we want to send to the gun manufacturers. If you look at today's front page, the House Republicans are already splitting, dividing the Congress now with a month ago seemed like a good reasonable commonsense legislation from Washington that would put us in the right direction. The Republicans are already delaying that or split it in half. So I believe Washington won't do their job, Harrisburg won't so we have no choice but as other major issues in this country the courts will have to decide.

Again, just for record, if the gun manufacturers start using good commonsense, I would be the first one to drop the lawsuit. Because as you say, no one likes to go to court. But I think they're forcing the issue and it won't cost the city a dime because law firms are lining up for contingencies to support this initiative without any money up front. So I believe it's going in the right direction. I think again as long as Congress won't do their job we have to.

Mr. Ferlo:

I wasn't going to speak on the gun

bill but everyone is extrapolating all these broad philosophical intended purposes associated with the resolution and now I know your actions obviously are sincere and well intended. I don't support it.

As far as President Clinton taking the high moral ground about guns, this is the same gentleman that just turned the weaponry of the United States on innocent individuals and families and children in Serbia. This the same President who takes the moral high ground at the same time is now funded to the tune of six billion dollars new weaponry programs and star wars, which I thought was dead and gone under the Reagan administration. If President Clinton was concerned about our youth in the high schools committing these kinds of acts, I would suggest he would take to the floor of the House and the Senate and with a swipe of the pen extend mental health services, free comprehensive and universal to families and young people with confidentiality's.

So if we really want to talk about problems associated with the high school killings and the like, let's get serious about a real conversation. I don't believe this action against gun manufacturers is appropriate. I don't think it is going to have the intended purpose at all. I think there are other things that we should seriously deal with as a society. If we want to get some help especially for the urban areas, I have a whole laundry list of requests. They don't involve getting this city entangled in a complicated, and I think to the end, futile lawsuit against manufacturers.

I think we should rather focus on those individuals who abuse and use guns. If people that use guns in a criminal act,

they should be prosecuted. We aren't doing that and that is where the focus should be in my opinion.

The Chair:

I can't disagree with --

Mr. Ferlo:

I hope this darn thing doesn't cost us money.

The Chair:

It won't cost us a dime. Just for the record, any law firm outside we will be very careful. It is in the legislation and we have better ways to spend our money.

Mr. Ferlo:

Famous last words.

The Chair:

We won't spend our money especially with law firms and other cities are doing it with contingencies. I believe it is something we have to do.

Mr. Cohen:

I wasn't going to speak on this bill either, Mr. President, now I am compelled to. I don't mind if this cost us some money. I don't think it will. I agree with you it will not, but I don't mind if it does because it is money worth spending.

We have more safeguards as you point out. We have more safeguards on a bottle of aspirin than we do on guns, which of course are lethal weapons. I am not sure Kosovo and what mental health

and all the other issues Councilman Ferlo brought up have to do with the culture of violence in America. Not outside our shores, but in America. I don't think they relate directly to the issue and that is that we can make guns safer. Guns can be safer.

Over a year ago this Council passed a proclamation having to do with trigger locks with making guns safer, trigger locks can be applied to guns. The guns can be personalized, so as you pointed out Mr. President, that the fingerprint of the owner would activate the gun. So no one else can use that gun but the owner. Clearly that has been a result in saving of many, many lives.

I don't see why we should be defensive about this. We should be if anything offensive about this and that is what this bill is because the gun manufacturers need to take some responsibility for their product and they have not done that.

Ms. McDonald:

I think many individuals who are opposing this legislation and have spoken out against it through letters e-mail, etceteras, are missing the point. The point is not so much the lawsuit. They're thinking in terms of lawsuit.

What I am voting on is forcing the gun manufacturers to make their product safe. That's all. And unfortunately it is going to take a lawsuit to force them to do it. I believe the lawsuit would be a moot issue if they would wake up, come to some type of commonsense and make their products safe around children and around anyone no different than car manufacturers

had to do that.

Now I am not sure if a car manufacturer or other entities that have had to make their product safe were forced to do so through a lawsuit. But it is a shame that when we talk about a peaceful nation, in God we trust, that it would take a lawsuit to force gun manufacturers producing lethal weapons. They are not toys. They are not toys. You only buy a gun for one thing -- to hurt to kill. I don't know of any other reason to buy a gun, to hurt, kill. It could be an animal, it could be a person. I don't know of any other reason. But gun manufacturers should be able to make a lethal weapon safe around unsuspecting innocent people, children. Now if that takes a lawsuit to do that and we discussed this extensively at a public hearing. We discussed it. That's the only way to do it. That's the only way.

I wish we could pass a resolution just to ask them to do it and they would do it nicely. But it is not going to work that way. It rarely works that way because it's going to cost them some money. The bottom line is it is not going to impact gun owners, it's going to impact the pockets of the gun manufacturers and anyone else is putting in money to produce all these lethal weapons that are permeating, proliferating throughout our streets. That's what the problem is. It's going to cost some money. And any time you dig into someone's pocket they're going to yell and they are going to come up with some indirect lame excuse why you shouldn't do it. Why we shouldn't do this. I guarantee it. It is because it is eating into their pockets.

I don't really give a dog gone because guns are killing people in our

communities. I really wish that this legislation would go even beyond that and force them not only just to make it safe, but to put a cap on how many guns are produced. I think statistically speaking it was evident there are more guns being produced than there are people to own them. Why do we need 80 guns in our house? Why don't they just put a cap? Why don't they put a moratorium on the manufacturer? I think we have enough weapons in the United States of America to go around to everyone if they want one. If they want to file for a permit and own them legally. There is enough to go around to protect yourself or to hunt or whatever you want to do.

Again, I think the legislation doesn't go far enough. I would like to have a cap. But if it takes a lawsuit simply to force some commonsense in making guns a lethal weapon safe, then so be it.

Mr. Ferlo:

Again, I think this is going to be as productive as the whole tobacco lawsuit ridiculous fiasco. Tobacco profits are up, corporate income of tobacco companies is up, it didn't effect any actions of tobacco industry rather than being limited in what their advertising strategies are going to be. And there are easy ways based on the lawsuit to circumvent that. You can't have a Camel add on a billboard but a Co Go's can start marketing Joe Camel adds at their store and completely violative of the intent of the lawsuits.

I think this bill should be renamed a trial lawyer assistance act because that is all that happened in the tobacco lawsuit. A lot of lawyers including those that are

politically tied to republican and democratic attorney generals at the state level and the good old Clinton administration at the federal level. I don't see what the purpose of this bill is. It is not going to change the conduct. We should focus in on the criminal conduct or abusive conduct or irresponsible conduct whether it is parents in the home that don't take care of their and charge of their weaponry. Whether you know, this is a simplistic knee jerk reaction to a very complicated issue.

Mr. Hertzberg:

Thank you, Mr. President. I will chime in on this one as well. You know I am not opposed to hunting. I am not opposed to people having firearms to defend themselves, but I don't think there is anything in legislation that's been introduced in Washington or anything about this legislation that's before us that will adversely impact either hunting or people's right to defend themselves with firearms.

Things have just gotten way out of hand. Our Solicitor told us probably the best theory she believes in this lawsuit are claims for the negligent marketing of firearms. The point being that you have things like gun shows and that's a big part of what is in Washington. What is the controversial and what may never pass in Congress. You have gun shows where there is absolutely no kind of background check. Where guns are every where in an open forum and unfortunately some of the wrong people are well aware of those situations and take advantage of them to acquire firearms that are used in criminal activities. That's the kind of negligent marketing that we have to try to put an end

to.

There are a whole number of other things. There was a recent study released about particular retailers that were responsible for a large percentage of the guns that were sold and ultimately used in crimes. So more needs to be done by those that are manufacturing and selling guns to be careful that the guns don't end up in the hands of the wrong people. More needs to be done than is being done now legislatively it does not seem likely to happen.

Historically in situations like this court action has worked. It is specifically if when you go through torts and law school they will tell you that there is more than one reason for lawsuits. Involving product liability and involving negligent conduct. It is not only to compensate the individual that gets harmed. But it is also to send a message to what they call the tort feaser or ultimately who is the wrong doer in the civil case. It is to send them a message don't do this in the future and others that are in your situation hopefully we deter you from entering into this conduct in the future, because there is a financial penalty involved in it.

I am happy to support this. Hopefully we will continue to get the support of a sufficient number of people on this Council to move this forward. If the legislation to do something looked like it was moving in Washington, maybe we wouldn't be entering into this. But it just seems like every day that passes some new wrench gets thrown into it and it doesn't look like it may survive.

Mr. Ricciardi:

Thank you, Mr. President. I believe many remarks from Councilman Ferlo are correct. We should focus in on criminal conduct and activity and that we should also discuss and hopefully even educate regarding personal responsibility. But in this case, I commend you wholeheartedly, Mr. O'Connor, for moving forward on this.

Several years ago our well-respected Councilperson, Mr. Wagner, wanted to outlaw certain guns. I voted against that. I believe it was against the intent of the constitution and also against the rights of individuals to own their particular weapon of choice.

However in this case, Mr. O'Connor, once again I commend you. I think you're focusing in on the product. Several weeks ago I purchased a booster seat for my young daughter who is nearly five years of age and 40 pounds. If I found that that booster seat was defective or was not a safe product, I would hope that someone including myself would take suit against the manufacturer in order to make sure it is a safe product, because I know the reason that I purchased that.

If I purchased a weapon for the house and there is technology out there that can make it a safe product for the user who was legally obligated or legally rightfully that could use it either in defense or for hunting or for target shooting, going back to what Ms. McDonald was saying, then I would support that. I hope I don't lose my train of thought here. But we have a product and it can be made safe. It can be made safe and the technology is out there either with fingerprints or with some sort of safety lock. So what I am supporting today is I think that all

manufacturers of guns should do what Colt industry is doing. I think Colt, the producer of guns, is moving in that direction and that is to make a product that will be safe for the rightful owner and for the legal owner of a particular weapon.

I think we should move ahead with this. This is no different than product liability on other products sold on the market such as booster seats. Thank you.

Mr. Onorato:

Let me just chime in too. I voted no last week and I will continue to vote no. We're all frustrated with the things you see on TV and the crime you have been hearing, however I don't think this is the way to address some of the problems out there. While I do recognize and some of my colleagues have mentioned about car seats and aspirin caps and medicine constraints and different types of products that are out there, the only difference and one big difference is that we're talking also about the second amendment of the constitution.

The issue that Councilman Ferlo brings up couldn't be more accurate. And I am just going to point to the city as an example. I remember in 1993 when this city was out of control with gun shootings. My district was not spared with some of the major tragedies that took place along with other sections. This city along with the Mayor made a decision to crack down on the actors. We really cracked down. We beefed up the police force. We beefed up the punishment, the arrests. We had convictions going left and right for about a year. Now I think what is it the second or third year in a row that we have an all time low of crime records from the 60's, 30

years ago we're at an all time low. It was about enforcement. Enforcing the laws that we have and punishing the actors that do these things.

If you look at the recent tragedies, the school tragedies, these actors were getting the guns legally within their homes. Most of them are from affluent neighborhoods, well-educated neighborhoods, people that had the proper permits, parent that is. And somehow let their kids get access to it. I think we can't lose focus of where the problem is. That is on the actors and on parental supervision and enforcing the laws that are in place dealing with regulations on guns being a background check and the other issues.

Finally, the other reason I am not supporting this is because I am not going to remove the pressure of where it should be if you want to deal with this issue. That is the United States Congress and in the House and Senate of the states of this Country. If they want to act or they don't want to act that is where the pressure should be put on from both sides of the argument not from City Council or bureaus. That's my personal belief on this. I don't believe this will achieve anything.

I was even against the suits in the tobacco cases. I thought that was the wrong way to attack the problem. When you have a Congress who says you can't advertise on TV, you can't advertise on a billboard but yet we're afraid to go the next step and say that tobacco was an illegal drug. It's a legal product. As long as they want to make it a legal product, how can you deny somebody from advertising? Congress and the State House and the Senate have to deal with this issue and that's where it should be dealt with. That

is the way the constitution was set up. That is the way the regulations are to be passed not here. Therefore, I will continue to vote no, because I just think it is the wrong way to go. Thank you, Mr. President.

The Chair:

I certainly respect everybody's opinion. I would just like the final word. I believe this is a hundred percent opposite the tobacco lawsuit. I believe if you want to compare it to any other lawsuit, compare it to the Pinto. Without legal action the Pinto would probably be still out there killing people.

Also it has nothing to do with hunting. Every third day in this country a child dies by accidents from a handgun. Twelve children under the age of 19 are killed daily by guns or gun violence. Again compare it to the car seats where we have come in the last 20 years. I think it is a good commonsense issue. If you start looking at smart guns, and I believe that's the way to, the suicide rate it would cut that way down, the accident rates and that's where the initiative is.

Again, it is in the job of Congress but since they aren't doing it, we will join other cities and start pushing them. I hope it brings to the table so we don't have to do this but right now I believe we do.

With that said, bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Diven and Mr. Onorato voted no on Bill 1383, Mr. Ferlo voted no on Bill 1383, 1661, and 1662)

Bills have received the legally required number of votes and have passed.

MR. ONORATO PRESENTED:

Bill No. 1737:

Report of the Committee on Planning, Zoning and Land Use for June 9, 1999, transmitting sundry of ordinances and three resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1251:

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 902, by changing the Zoning District Map Conversion Chart to specify that the "M2" and "M3" Industrial Districts are converted to "UNC" Urban Industrial District rather than "NDI" Neighborhood Industrial District. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1252:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Section 925 by revising the Contextual Setback regulations. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1253:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the definition of Bed and Breakfast (Limited). (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1254:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the Use Table for Religious Assembly (Limited) and Religious Assembly (General). (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1255:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 901, by revising regulations pertaining to uses which are institution, educational institution, or unit group buildings thereof; and hospital or

unit group buildings thereof. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1256:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, to include the Urban Industrial District. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1257:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 908 by revising the Public Realm District Regulations. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1259:

An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the Use Standards. (HEARING HELD MAY 27, 1999).

Which was read.

Also,

Bill No. 1261:

An Ordinance Amending the Pittsburgh Code, Title Five, Traffic, Article VII, Parking, Chapter 549, Residential Permit Parking Program, Section 549.08 Visitors Permits, by changing the amount of days available for visitor permit parking within a specified period of time. —(SPONSORED BY MR. RICCIARDI) (HEARING HELD JUNE 1, 1999).

Which was read.

Also,

Bill No. 1450:

Resolution providing for the denial of the addition of the property located at 2500-2700 East Carson Street (north side), portions of Block and Lot Number 029-J-008, in the 17th Ward, City of Pittsburgh, to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances. (HEARING HELD MAY 27, 1999)

Which was read.

Also,

Bill No. 1516:

Resolution approving a Conditional Use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Commonwealth of Pennsylvania, Department of General Services, and the University of Pittsburgh for authorization to construct a six-story multi-purpose academic center with accessory retail space and necessary access and parking areas at 3800 Forbes Avenue on property zoned "C4" Commercial District ,4th

Ward.

Which was read.

Also,

Bill No. 1517:

Resolution approving a Conditional Use exception under Section 993.01(a)(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct five, four-story garden-type apartment buildings for student housing, four buildings with sixteen four-bedroom units and one with twelve four-bedroom units, to house four students per unit, for a total of 304 beds, located at 201, 221, and 291 Oakland Avenue and 200 and 230 South Bouquet Street on property zoned "R4" Multi-Family Residence District and "C4" Commercial District, 4th Ward.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Mr. President, Bill Number 1257 which is in our numerous extensive pile of Zoning amendments to the new zoning ordinance. 1257 involves what is called public realm districts. Currently there is only one public realm district and that is the Grandview Avenue public realm district.

I really haven't had a chance to go

through this and compare it with the original legislation because I have found that there are some changes here. I really want to go over it and have the opportunity to discuss it a little bit more with our Planning Department. So I am going to make a motion to recommit Bill Number 1257.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I would like to make a motion as a courtesy to the URA to discuss Bill 1450, which is the resolution for the addition for the extension of the East Carson Street historic district. It was originally the denial of this extension, as a historic district. Councilman Ricciardi had proposed an amendment to approve it. But Dr. Birru of the URA has asked under my committee, which this is zoning, but as a courtesy under my committee I told him I would ask for this to be recommitted. So that at least he who would have an opportunity to discuss it regardless of what Council does as a final decision. So motion to recommit.

MR. HERTZBERG seconded the motion.

Mr. Ricciardi:

Discussion. Thank you, Mr. President. I strongly object to the recommittal of Bill 1450 designating three blocks of East Carson Street as a historic designation. Matter of fact once again the north side of East Carson Street is designated but not the south side.

I also would like to correct the record. Bill 1450 is not, is not within Councilwoman Valerie McDonald's Committee. It's in the committee of Planning, Zoning and Land Use Chaired by Mr. Dan Onorato. And I believe Mr. Onorato will have a statement and hopefully will not support recommitment.

Colleagues, if this wasn't so serious it would actually be amusing. Let's go back to the original wording of the legislation, resolution providing for denial of the addition of the property located. If we voted yes on this, it would have been denied. If we voted no there still would not have been historic designation. Even the Planning Commission and others who testified stated for the record that this was the first time that this was ever presented to City Council like this. Now was it a mistake or was it intentional? That can be debated. But let's talk about notification.

Number one, I thank the City Clerk staff, five individuals from the URA receive our agenda. Five top URA officials, including Dr. Birru's Office. Have and will and continue to receive our agenda where this resolution was properly stated. Also, colleagues, if you remember there were other bills, which the URA had discussion. There were two officials from the URA that were seated in these chambers and the Director of the URA was here, left early but the other officials were there. Never got up to speak.

Now let's talk about notification. Was there hand written notification? That's debatable. But this is not debatable, the hearing was May 27, May 26 the Southside Works town meeting. In attendance if I may, Mr. President, this is very important, colleagues, if you just have

a second to follow this. May 27th was the town meeting. May 26th Southside Works town meeting, in attendance were the URA Deputy Executive Director, the URA Manager of the Southside Works site and another top staff official from the URA including developers from Soffer and Continental. And what was the discussion, one of the line items was the public hearing tomorrow. So the Deputy Executive knew about the public hearing tomorrow. The manager of the Southside Works staff person knew about the public hearing, which was May 27th, another staff member knew about the public hearing. So in effect there was notification. Might have not been by e-mail but somewhere along the lines everyone knew about this meeting.

So it is silly, actually silly. I never used that word before. It is actually silly for officials in the URA to say that they did not know about the public hearing. And if they didn't know. I am not even going to touch that or debate that because if they didn't know shame on them.

It is difficult to talk about the recommitment without at least touching upon the bill. Please keep in mind, yes the URA is owner of the property but they're only really in effect custodians of the property. The real owners of this property are the taxpayers in the City of Pittsburgh. The real people who have a lot to win or lose by the property and really can display ownership of this property is the community, the host community, which is the Southside residents.

I can talk about and be redundant and talk about what we talked about last week and why this is so important. It was in the initial historic designation bill. It

was taken out because of the gaming industry, this has the full support of the community. The community was so pleased when we voted 9-0 and now feels very deceived. The URA right now their partnership with the Southside community is on eggshells. It is not good. And this entire process with their objections to historic designation has not been a true partnership of the URA and the City of Pittsburgh. It is okay if it is for the private sector, but as soon as it is for the public sector there seems to be a problem.

So I will just end and say this. I would ask the friends of South Pittsburgh neighborhoods to vote no on recommitment. And those people who vote no, I will personally and professionally guarantee and commit that they will know about your vote because if you pick up the South Pittsburgh today, circulation 12,500 you will see that I gave you all credit for that vote. If your words at the time at the 30th Street opening yesterday and I am bringing this all out to show that this is definitely a bill to show your commitment and friendship to the Southside. I mentioned everyone's name, about the 30th Ward including Council President Bob O'Connor who pulled that through.

What I am saying to you today is, this is a vote that will be known in the Southside. Vote no on recommitment and then I respectfully ask all of you to show your commitment to historic designations in the City of Pittsburgh. To show your commitment to the Southside community and to show how silly this is for URA professional men and women who many are getting paid in excess of \$80,000 to tell us that they are unaware of the public hearing or the bill that was discussed in Council. Read your e-mail. Thank you.

Mr. Ferlo:

Not withstanding the political wrath of my colleague, Mr. Ricciardi, but the editorial wrath of the Southside Reporter News Magazine, which I greatly respect, the issue before us today is on the recommitment. Unless there is some clear evidence that there is a flaw in the process regarding notification, and I would ask the City Clerk if she has any such knowledge, I think we need to proceed with the vote today. I don't understand the basis for any recommitment.

On the bill itself, obviously as Mr. Ricciardi spoke about eloquently and certainly others from the community, the only thing I have heard at least directly or indirectly from the URA and supposedly representing the developers although we heard conflicting testimony on that. But the community says the developers had no objection to the designation, process, guidelines or designation is that it might take a little more time for them to go through the process. Well if that's their concern then I would ask the administration to revisit the actual guidelines for the Southside historic district. If they need to expedite them in any way, they should address that uniformly in the whole district not just because there is new development.

I mean if there is a problem regarding the process of historical review, which I don't think there is, I mean every time I have seen agenda, the Historical Review Commission, the staff move through quickly, expeditiously, give critical review. I don't know that there is any stymieing or delaying of the process. So there is no evidence here so far that

there has been a flaw in the process of notification for the hearing. There is no understanding or anything factually that has been presented to us as to why this site should not also be part of the Southside historic district. And if the concern is the due process or the time frame in which approvals are given, then we should, the administration should look to the guidelines and work with the community and find ways to do that.

Every historic district that we designate we also designate specific guidelines pursuant to that district. In the case of Oakland Civic Historic District because of the concerns raised by the University of Pittsburgh and other major institutions, they wanted an expeditious review of the decision making process. So we molded those guidelines particular and peculiar to that concern and if there is a concern to the Southside, I am sure we can do that if it is appropriate.

But again, there has been no process or issue here about notification or due process and there is no understanding or factual material presented as to why this would be harmful or detrimental to the quality of this development. So we should not recommit. We should move forward with an affirmative vote on the bill notwithstanding political wrath or editorial wrath.

Mr. Diven:

First of all I would like to commend Councilman Ricciardi for his leadership on this particular issue. And I would also remind colleagues that this is an issue where Councilman Ricciardi represents a neighborhood. The neighborhood is in complete support of

extending the district, the two blocks with the development. The URA and for some reason the administration doesn't seem to want to play by the same rules that they have set for every other business and property owner along that corridor.

I think that we should show our support and show our unity behind Councilman Ricciardi and stick with him on this vote. I think it is important to let the people in the Southside know that they're voices carry a lot of weight with the City of Pittsburgh. I know Councilman Ricciardi has done the best he can to make that show of their voice heard in City Council Chamber. I think this vote will ultimately send a message to the people in the community whether or not they have ownership in their community and have the ability to determine their community's future fate. I think we need to stick with them and vote no on the recommitment and vote yes on the legislation.

Mr. Hertzberg:

I am supporting recommitment here only because I do want to hear from Dr. Birru. Whether he was right or wrong in not appearing at the public hearing or at the discussion last Wednesday, the fact of the matter is he didn't appear. And no one from the Urban Redevelopment Authority appeared to give us their position, their reasons and why they oppose this historic designation. I think we need to hear that. Whether a mistake was made and whether somebody missed a notice of a meeting or not, they're now asking to be heard on this issue. I think we should show them the respect to allow them to be heard tomorrow on this issue. I fail to see what the harm is to anybody by recommitting this to allow the owner of the property to

be heard by us.

Ms. McDonald:

Basically I did owe those remarks that this is with all do respect to Councilman Ricciardi, this motion is not to vote it down or up. It is basically for recommitment for one week so that we can give the owner of the property the benefit of the doubt.

I can't really second guess, I don't know why they missed it, and maybe there was a misunderstanding. I know in the past that we have readily recommitment bills even though we discussed it and discussed it and beat it to death. We did it as a courtesy, as a benefit of the doubt to whoever would like to go add one more remark or one more facet to this. It certainly should not be viewed this motion to recommit should certainly not be viewed as a final vote. It is strictly a vote to extend the courtesy to the URA no differently than we often extend courtesy to other individuals including you know the individual public. People that come in from off the street to just say one last, to give one last word. That's really all it is about.

I don't want to be misconstrued in any other way. So again if it is not voted, if it is voted down, fine. But I am just proposing this as a courtesy.

The Chair:

Vote on the recommitment.

The ayes and noes were agreeably taken accordingly to law and were:

AYES:

Mr. Hertzberg

Ms. McDonald

NOES:

Mr. Cohen

Mr. Diven

Mr. Ferlo

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. O'Connor

(Pres't)

AYES Two NOES Seven

The recommitment not receiving the unanimous votes of Council, fails.

The Chair:

Any other discussion on any other bills?

I believe the Pitt Bill is in front of us, right? I just want to say for the record, I certainly support the Pitt initiative. I think it's great for Oakland. But I want to emphasize the large building going on the corner of Forbes and Bouquet the strong commitment that we have through all of our hearings. I believe all the business district and the residents that a strong anchor tenant be there. I think it's very important and I have had discussions, preliminary discussions. I believe everybody agrees to it but you know we won't have the final say after this. So I am holding them to their commitment and I am supporting this with my faith and trust that they will put the right tenant in there that will help not only benefit the university but the Oakland community.

The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Ferlo abstained on Bill 1516, and 1517)

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1738:

Report of the Committee on Housing, check Development and Promotion for June 9, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1581:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$450,000 for North Shore Riverfront Development (Council Districts 1 & 6). ---**(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)**

Which was read.

Also,

Bill No. 1685:

Resolution approving Execution of a Contract For Disposition of Land By and between the Urban Redevelopment Authority of Pittsburgh and a. m. Rodriguez Associates, Inc., or a limited partnership to be formed, for the sale of Block 29N Lots 77 and 161, in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, E. Carson and Sarah Streets, Council District No. 3 (residential construction).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

I still don't understand Bill 1581. I am trying to understand it. I am trying to be supportive of the URA and the city's agenda.

This bill involves the construction of a parking garage at or near the rear of the ALCOA headquarters, roughly near Isabella Street. It grew out of a discussion in preparation for the ALCOA Corporate Headquarter construction, there was elimination of valuable surface parking lot. There are other major commercial and residential tenants in and around this corridor and there is a need to address the parking issue. But I don't understand is why we always have to be the builder of last resort on parking. If all of this

discussion on so-called Plan B and proposed expansion of the stadia, the football and the baseball stadium, the expansion of the convention center, the reemergence of valuable commercial activity in that corridor along General Robinson Street and the end of the Sixth Avenue and the like. With all that development and also the likelihood that more commercial tenants will come into that area, I don't understand why there can't be a builder from the market, from the private market place. Or that the Parking Authority be used as part of its over all master planning as the finance era of last resort because that's what its mission and goal is.

There are too many questions that I have. I don't know who the principals are. I don't know why we are building this as the URA. It is going to be tax exempt, which doesn't make any sense to me. It should be a taxable property. I am still confused on what the size of the parking lot is going to be? It is not clear it is going to be inter model, which I think it needs to be. It is not clear whether or not there is going to be first floor retail. We don't know who the players are. This is another one of those things where I think we are getting a batten switch its kind of being shoved down us, presented with very little information. I don't know who is involved. The whole thing doesn't make any sense to me. And I don't know why we are giving this final approval without getting more answers to questions.

The Chair:

Do you want to recommit?

Mr. Ferlo:

No I am not going to recommit because nobody cares. I am voting no.

The Chair:

I was under the impression that this has been on the planning stages for over two, three years. Again, I am voting for it just like whether it be Shadyside or anywhere else where we build a parking garage that we have committed a long time ago to build this to see the area, to benefit the area. This was even before the stadiums I believe were announced.

Mr. Ferlo:

Why don't we amend it since after we build it we sell it to the private sector and get out of the parking lot business? The URA is not supposed to be in the parking lot business. What is the public purpose for the URA to be involved in parking business? The Parking Authority is supposed to be the planning agency that involves itself in the construction where it is needed. Where there is involvement in the public sector as a matter of last resort. Why are we doing this? It doesn't make any sense to me. It diverts other capital dollars and resources that we need for other neighborhood projects and the like.

If you are not going to have a profit generating structure at or near \$900 million worth of construction, then where the heck are you going to build a garage? Why are we in this business? This should be a private sector initiative. I have no objection of helping with the public improvements, the curbing, lighting traffic signalization, things like that or even remediation of the site, site assembly, but this is a stupid thing we are doing. This is stupid, in my opinion.

Mr. Cohen:

Mr. President, I believe we're talking about Bill 1581 are we not?

The Chair:

Yes.

Mr. Cohen:

Councilman Ferlo raises a number of issues that I think are worthy of recommitment in asking for answers to those questions. But at least in the bill it does say it is for site preparation, environmental remediation and design and construction. I would like to know where the money is going? Is it going more to the site preparation or more to the construction? I make a motion to recommit so we can ask some questions about this.

MR. FERLO seconded the motion.

Mr. Hertzberg:

Discussion. The questions that are being brought up today have been brought up. They have been answered. They can be re-answered. I don't know why may be people don't like the answers. If you don't like the answers, vote no.

But I think on the issue of parking garages and the economics of them, and I think Ms. McDonald being on the Parking Authority can probably give even more detail. The fact of the matter is parking garages are not moneymakers. Parking surface lots are great moneymakers. Everyone wishes they could do them. But downtown where you are not allowed to do surface lots, how many parking garages

have we seen built by the private sector lately? Big zero. Would it seem like it would make sense to build a parking garage downtown? Do we need them? Yeah. Parking is scarce downtown. It would make a lot of sense. The problem is the economics, the cost of building one of these structures is so great that you cannot get a return on your investment. That's the reality of the situation where ever you put the thing.

The ones that we built recently or have had built by the private sector, we have enticed them through TIF's. And Director Birru has said several times not only do we have the situation with the parking displaced by ALCOA and Lincoln Properties but also the problem with what once was the Keller Office Supply Building, which has been demolished. We have had some negotiations. We are looking for a company to come in and build a nice new building. But the parking situation has to be addressed in that process. That's why we are being asked to do this.

Also, I think Ms. McDonald will tell you the Parking Authority cannot do this garage. They cannot take on any more debt. They have built all the garages they can build at the time; it just can't be done. The other item I think Mr. Onorato will talk to you about that's in this bill is the underpass work that the communities adjacent to this area have been crying to us for years. Please do something to address these ugly underpasses. And that's in this bill as well.

I am going to be a no on vote to recommit and I hope we can finally see this thing through.

Ms. McDonald:

I likewise will have a no to recommit. I think we have answered all the questions. As Councilman Hertzberg had said, the Parking Authority, our plate is full. We cannot extend ourselves any further to accommodate people coming into down and desiring a place to park. It is very clear, it is in black and white statistically it is documented there is a lack of parking downtown. That's why the garages are being built. Most garages that are affordable, that are reasonable are at capacity at most times. That is the one problem that outsiders have complained about when coming into the City of Pittsburgh is the lack of parking. I think it would be full hearty to block the construction of a site that would benefit the city, benefit people coming into town to spend their money.

You know often times we talk about suburbanites, we don't get their money. You know, we only have a \$10 occupational tax, we can't even raise that. We can't put tolls on our roads coming into town. I think it would be kind of stupid to do that any ways, but this is one way to encourage people to come in and still be able to collect from them.

They pay for parking. They pay parking. And personally I would rather people come into the city and patronize the city and visit our city and do business in our city and build businesses within our city and be able to accommodate them while they're spending their money in our city. Because they're spending it at the park and they are spending it when they leave that garage.

Again, I think this is a good investment. We need the parking; the

Parking Authority cannot do it. Maybe down the road, the Parking Authority will accommodate the management of that to make sure that the rates are reasonable. Parking garage is not built because the URA is making money; it is built to accommodate the public. That is our public arm. The Urban Redevelopment Authority, the Pittsburgh Parking Authority, those are government entities to serve the public. I just say I am voting no on recommitment because I just want them to do their job.

Mr. Onorato:

I support the bill. I think we have debated it. I actually agree we should take Councilman Ferlo's approach and that is if you don't want to vote for the bill, just vote it down today. If you do want to vote it, vote it up.

I am against the recommitment. I am strongly in support of the parts of the bill especially that deals with the underpasses. We have been working that for years. It isn't as though this is uncharted water. If I am not mistaken, the URA was a very key player in building the garage for Union Switch and Signal Over on Second Avenue. So this has happened before in the past, the policy over who should be building them we can continue to debate. But on this particular bill, I would hope that it moves forward today with a vote.

Mr. Cohen:

In light of the recent comments I will withdraw my motion to recommitment and move ahead on the vote either up or down.

Mr. Diven:

I really don't have a problem with the URA owning or managing a parking garage. The problem I have and the reason why I voted against this last week was I just think when we talk about during final approval and doing it on the basis of a feasibility study, that is not smart policy for Council.

I mean we might as well sign over power of attorney to the URA and allow them to make all of our decisions for us. Because here is going to be a situation where they're going to be able to go and craft something that you know potentially four or five months down the road if a plan comes up that we have a problem with. We have already given them permission to do it. I would rather see us give them preliminary approval based on the fact when they do have a plan, they have the engineering done, they have the architectural renderings, they have all the things that we normally see when we do a development in front of us, then we can make a decision and give them final approval.

I think right now just to give them a blanket direction to go and build the parking garage is not smart. I think we have an obligation to make sure that we do it, one, physically sound. Two, with the values of the neighborhood behind the development. And three, with the ability to make constructive changes along the way. By voting today in the affirmative on this piece of legislation, we give our ability to ensure that happens. I have a problem with that.

I know that yesterday we met with the TIF committee under Councilwoman McDonald's stewardship. I think that's beginning and starting to show signs that

that could be a great tool to have these problems ironed out and have some of the things that we would perceive as problems from the community at least taken into account and made changes for. I think to just come back the next day and give blanket approval for them to proceed on a project that you know we are already giving them over \$450,000 worth of money and I am sure that there is going to be more money that is going to be involved in this project down the road. I am leery about giving up that control without having a final approval vote somewhere in the future when we do have a concrete plan that we can look and criticize and ask questions on. So I am going to be voting no on this piece of legislation.

Mr. Ferlo:

Again, I am not opposed to a parking garage. I am opposed to the URA building this garage. As far as the profitability, if we are just building a garage, there will be financial issues involved. Why do we just have to build a garage? Is there no private sector interested or have they even been invited to bid on this site? Where we not only would have parking, could there not be retail or commercial store frontage on the first floor to raise the income and generate profit and income for this building? Is there no reason why a hotel couldn't be on the upper tiers of this parking garage and give away free land? There are not too many hotel folks that have been invited to be given a prime site adjacent to \$800 million worth of construction with free land and a parking garage right below their rooms.

I mean I don't think we are being

innovative and creative. I would rather give a TIF because at least when we give a tax increment financing it is private sector. We immediately start generating some taxes and revenue. I just think and I think Councilman Diven's points are also very strong in terms of just giving away almost as he says power of attorney in this very nebulous generally worded resolution. I think we should have more input and challenge the URA to put this site up for competitive bid or request for proposals or request for qualifications and see what other kinds of development ideas we can generate. I don't think this site should just be a parking garage. That's the primary concern but there is an air above it that could be a hotel, there is a first floor that could be commercial and rental retail, whatever stripe, and I just think it is inappropriate. So, I have no problem not recommitting because I am just going to vote no any ways.

The Chair:

I was under the impression and I am going back over a year ago that this was a major part of bringing in other business or large firm company into Pittsburgh with the adjoining property. Again, my memory serves me well. I believe that was the intention. I don't know if, Mr. Udin, it is in your Council District. We have been discussing the parking garage if you have any input or should -- you have brought up a lot of good questions. I would be willing to recommit for one week. I don't know that it would hurt anything you brought up good questions or not. Voting no I don't know is the answer either.

Mr. Udin:

I think we had questions and we asked when it was first presented by the URA representative, there were questions, specific questions raised about the project. We held it until Dr. Birru came to the table himself. He did that. He answered all the questions I believe. Maybe not to the satisfaction of those who are still opposed to it and they should just vote no. But the questions that we had were answered. This is not very different than any other URA project. There is the timing of the funding, the kind of planning that goes into a development project. That's the way projects like this are developed. There is nothing different about this and I think we need to go forward with it.

The Chair:

I believe it is similar to the Buyers Mart or Union Switch and Signal. You bring up a lot of good ideas though that certainly could be added to it.

Mr. Ferlo:

They're property owners paying taxes.

The Chair:

I believe the URA was the builder, but maybe I am wrong.

Any other discussion on any of the bills? Bills are now ready for final action. All those in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Diven and Mr. Ferlo voted no on Bill 1581).

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.
MOTIONS AND RESOLUTIONS

Ms. McDonald:

Yes. Thank you, President O'Connor. I have an announcement. There will be a cable cast post agenda today to discuss the URA loan and grant assistance program for home improvements. That will air at two o'clock p.m. in City Council Chambers.

And I would like to formally ask for an excused absence from tomorrow's standing committee at 10:00 a.m. I am going to be attending my sons promotional exercise at Washington Poly Technical Academy so I will not -- if I get back and you are all are still talking after 12 o'clock I will be in. Other wise I may not get in. John says they will still be talking.

Mr. Onorato:

Mr. President, if I can, I apologize for being delayed here. I introduced a few bills today but on one bill, Bill 1732, I

would like to waive the rules of Council and have that bill be put on tomorrow's agenda.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

One other thing, Mr. President. I just point this out just as information so that hopefully we can address it in the budget process coming up. I am dealing with an individual on the North Side and I guess we never really see how these fees that we vote on as a package really impact our average resident. But let me give you an example. I have a gentleman who built a pool and wants to build a deck around his pool, up in the area of the North Side. And so far he had to pay \$35 for fence permit, \$35 for a pool permit, \$35 for electric permit, \$35 for a building permit, and now they want to charge him \$85 to go in front of the Zoning Board of Adjustment to get his variance for the deck. That will be a total of \$225 just to get permission to build the pool and the deck.

We have to seriously look what our fines and fees are and use an example like this. First of all it shouldn't be five different locations or five different requests to build this pool. It should be a one stop shop and it should be one fee to do all of this. I think \$225 is outrageous.

Actually the bill I am introduced today is actually transferring some funds. I am trying to see if we can bring some normalcy back to this whole situation. But again it was five different permits, a total of \$225. I would hope in October,

November, December we can adjust these fees and not just look at the bottom line of the budget. But figure out how do you do this in a way that you keep the budget balanced but at the same time you don't force people to not improve and do things in the neighborhoods that we want to see done.

The Chair:

Probably need a canopy over the pool so he can swim in the winter by the time he gets it.

Mr. Onorato:

He will probably us to go swim in his pool.

The Chair:

Any other discussion?

Mr. Ricciardi:

Thank you, Mr. President, I don't have all the details but I know our District Attorney Steven Zappala has been working on a program with Ms. Kelly regarding baskets for babies. I am also aware and I was not at the Council hearing that Mr. Hertzberg presented a resolution I believe in support of this. I apologize I was not there present for that resolution. But the concept is simple and over the past few years we have seen some very distraught mothers who have just dropped off their babies at a particular site. I believe one might have been in your district, Mr. O'Connor, in Hazelwood where the baby was just dropped off and died because there was no attention.

I think the idea is a solid one and it

makes sense and thank you, Mr. Hertzberg, for bringing it forward. However, it has also come to my attention now and I believe we need to work on this that people in the administration are saying not at the firehouses, not at the police stations, because they are concerned about a liability. They are concerned quote once a baby is found who do we call. I mean that is distressing. You are police officers. You don't have to call 911, you take the baby directly to the hospital or you call an appropriate person.

Again, I think Mr. Hertzberg addressed all of these problems. What I am saying is come on. If mothers are dropping off babies in alleyways, and hoping that someone will find that baby, I mean I would hope that our fire chief and our police chief would take part in this program. So I want to compliment you, Mr. Hertzberg, but I want to tell you there is some bad news in City Hall that they are not supporting this, they are not putting out baskets.

I tell you, I think if you were a mom or a person with a baby and you wanted to rid the baby but at the same time you wanted someone responsible to find the baby, and you are too scared to go to the hospital, you are too scared to go to your parents, you are too scared to go to your boyfriend or your husband, you would rather drop the baby off at a police station and still be able to place the baby there and get out of town. Get going. Well, that is great. Just put the baby some place responsible. So I would ask Mr. Hertzberg because you have done a great job in the past if you could please look into this and make sure that this happens in the City of Pittsburgh I mean with our police and fire stations.

Mr. Hertzberg:

I did receive word kind of second hand that there was a rejection at least in fire. I don't know about police, but I am not surprised. It is kind of a result of like an overzealous defense attorney stance on these things that we are so cautious and so concerned about liability. I think that we loose perspective on what the real goals of this program are.

I mean you have a mother that places a baby somewhere and we are worried about liability. We're going to be liable as Mr. Ricciardi pointed out. When there is any kind of Public Safety problem, we have to take charge. What is wrong with helping out here? I don't understand the decision at all and I hope it can be revisited and I will continue to try to work to do that.

I think the program is a great idea from some people in the community that are really distressed about babies being found abandoned and in the river, in dumpsters and that have died needlessly. They are just trying to do something on their own to offer young mothers who maybe in a state of panic the opportunity to save a baby with no questions being asked. That's the whole program and I don't see any reason why the city can't to some limited extent also offer the same thing.

The Chair:

I am very distressed to hear this and I certainly commend you, Mr. Hertzberg. You had them in a week couple of weeks ago. I think more than the basket, dropping a child off in a basket.

It is also sending a clear message to mothers, young mothers who may have a problem that they could go to a police or fire station or any place that had that whether it be a church or a home to seek help. It is not just dropping him off.

So, a lot of the people are not looking just to drop a child off but I think it is a symbol that we care and there are answers out there. There certainly are millions and thousands of people willing to help if only those people can have the right help at the right time. As you mentioned, yes we did find a baby a couple of years ago in the back of a church in Hazelwood and it is actually sad to say in April a child was found in the river, it's been in the Coroner's Office because of the legality thing. No one has found the mother. But tomorrow St. Bede's Church is going to bury the child, a 10:00 mass, I want to thank Father Brice and I believe I know Ms. McDonald and Mr. Cohen and myself kind of share that neighborhood so they have come forward the whole community as we did in Hazelwood.

So, I would certainly I don't know if Mr. Diven or all of Council would certainly encourage the fire and police to come out and support this fine initiative. Hopefully we really get more of a symbol than I believe than get to the root of the problem. That would take a lot more than just a basket, but it certainly is a step in the right direction. There is very strong committed people to do this and they have shown that by being here and their commitment. I want to thank you for bringing that up, Mr. Ricciardi.

Anything else to come in front of Council.

Mr. Udin:

I want to register a yes vote on the bills that were voted on previous to my arrival with the exception of the recommitment on the historic preservation bill, I vote no.

MR. RICCIARDI seconded the motion.

And on the motion made by Ms. McDonald, the meeting adjourned.

The Chair:

Thank you, so noted.

Motion to approve the minutes.

MR. RICCIARDI moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn the meeting.

MS. MCDONALD moved to adjourn the meeting.

MUNICIPAL RECORD

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, June 22, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest, Chelsey Berry, she is seven years old. She is in the second grade and she is the granddaughter of Linda Johnson-Wasler our City Clerk. And she is visiting us from Atlanta, Georgia. She enjoys sign language and she's involved in many charities and she's

very bashful. We're going to help her along.

Chelsey Berry:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Before I adjourn, I want to mention in your prayers to remember Paul McGrath the firefighter who died tragically working for all of us to save lives. We want to say a special prayer for him and his family. Thank you.

We have many special guests in the audience.

PRESENTATIONS

Mr. Ferlo:

Thank you, Mr. President. We have our Honorable Controller Tom Flaherty in the audience. I would ask him to please come forward. As well we have various community representatives from the Pittsburgh Community Reinvestment Group. I see Nancy Schafer and Aggie Brose and Jackie Hill. And while I am speaking the official proclamation is being printed. So I will wing it here with the unofficial proclamation.

MR. FERLO PRESENTS:

No. 1739 WHEREAS, the Pittsburgh Community Reinvestment Group, organized in 1988, consisting of 28 community based organizations in partnership with 13 local lending institutions in accordance with the Community Reinvestment Act of 1977, has negotiated agreements resulting in 3 billion dollars worth of commercial and residential investment in Pittsburgh's low and moderate income neighborhoods, and;

WHEREAS, we believe that the integrity of the Community Reinvestment Act and the Pittsburgh Community Reinvestment Group is essential to urban revitalization by partnering with financial lenders to insure a healthy infusion of capital for equitable commercial and residential growth in our lower income communities, and;

WHEREAS, banking and other financial institutions operate under public charter, are custodians of locally deposited funds, are federally insured and have available discounted government financing, and;

WHEREAS, the Community Reinvestment Act, which makes banking institutions accountable to the communities they serve, is threatened in the United States House of Representatives by certain provisions in HR 10 ("Financial Modernization" Act), and;

WHEREAS, the "safe harbor" provision of HR 10 shifts the burden of financial compliance from the institutions, which had to prove themselves "good neighbors", to the community, which has

far fewer resources to challenge a bank's rating, and

WHEREAS, the small bank exemption of HR 10 eliminates compliance standards for institutions with less than \$100 million in assets, which would allow two-thirds of the nation's financial institutions to avoid the Community Reinvestment Act's provisions, and;

WHEREAS, the removal of "firewall" protection under HR 10 would permit the merging of banking institutions with insurance and security firms, which could dilute the overall pool of funds available for mortgage loans, particularly in the Community Reinvestment Act's target neighborhoods.

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh joins with Mayor Tom Murphy and City Controller Tom Flaherty in opposition to "safe harbor" and small bank exemption provisions and the removal of firewall protection that would adversely affect the Community Reinvestment Act (CRA), and;

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh urges all Members of the United States House of Representatives to vote NO on HR 10 unless it ultimately strengthens, not dilutes, the Community Reinvestment Act.

MS. MCDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I want to thank Ronald Ieraci from the Office of City Controller for his help. Our Controller and representatives here from the PCRG group had an important conference and action over the weekend. They have been working long and hard out in the fields not only monitoring the effects and the implementation of the Community Reinvestment Act provisions, but they're good work has actually resulted in significant change in the amount of banking commitment to our neighborhoods. That banking commitment has come in the form of loans and grants to both residential and commercial development.

Years ago the CRA's provision were little known to most community development groups. People like Aggie and our Housing Authority Director, Mr. Lowe, and all these good folks that took the time to come down here today and many others saw an opportunity in the advocacy around the CRA requirements to really force the local banking institutions to partner with local community development groups. The proof has been in the pudding. We have seen a major turn around in the commitments of local banks. The provisions that are key to this kind of a viable representation of the banking community are now being threatened because let's be honest, banking institutions not only in Harrisburg but certainly in Washington are very powerful, political action lobbying groups probably even more so than the NRA which is no piker. So all of this is being threatened and all of this would have a very detrimental impact on the ability of the community development groups to partner with banks and use their financial

resources.

It is very important that we take this action today. I would ask that our Controller address Council and then Aggie or Jackie or Nancy whoever is going to speak.

Mr. Flaherty:

I want to start off that it is always an honor to appear in front of Council. I want to thank Jim Ferlo and each and every one of you for your unanimous approval on this very vital resolution. I had the opportunity over the weekend to attend a very informative rally that Aggie and Nancy and Jackie presented. I heard the very compelling evidence that the histories or the testimonies of five young women. Some of whom are single family mothers and the plights that they have had and how the Community Reinvestment Act allowed them to gain a mortgage for their families.

Congressman Bill Coyne was there and Bill as he's always been is going to be a very strong advocate on this issue, as was Barbara Burns who is soon to be on Council succeeding our great colleague Dan Onorato who is going to assume his responsibilities as county controller in January. But this is certainly one of the most vital resolutions that I have had the opportunity to be a part of. I think certainly City Council and the Murphy administration has been a great partner with our financial institutions going all the way from tax incremental financing. When they requested that to keep their strong institutions here onto naming rights at stadiums or perhaps stadia.

I think that in view of the fact that

this act, the Community Redevelopment Act laid dormant for a good ten years until activists such as Stanley Lowe and the three individuals here breathed in existence in a life into that in 1988 and we have seen thousands of residential and commercial instances where our city is being revitalized or has been those close to three billion dollars investment in the last 10 years.

I think that it would be almost a mortal blow to this city if powerful interest behind that great arch conservative republican Phil Graham, who is fueled by a multi million dollar lobbying effort were to be able to defeat the forces of need and revitalization in our urban areas. So I once again want to thank Council. I hope Bill Coyne and his colleagues are able to prevail, to give equity on this. My hat is certainly off to Jackie, Aggie and Nancy Schafer.

I understand the dynamic irrefutable Aggie Brose now is going to speak for PCRG which is the Pittsburgh Community Reinvestment Group, which is the umbrella for 28 neighborhood organizations that I have been a driving force in bringing three billion dollars to our communities and neighborhoods. Aggie.

Ms. Brose:

Thank you, Tom Flaherty, President and Council members. I really want to thank you for taking the leadership and initiative through Tom Flaherty's leadership and Jimmy Ferlo's to bring this resolution today.

I cannot stress to you the importance of this one piece of legislation.

I am going to give it to you very clearly. Until 1988 quite a few of our neighborhoods were redlined. We could not bring capital investment in. If you owned a house in these neighborhoods, you couldn't sell it. If we built a house we couldn't get a buyer for it. There was no money flowing in or out of these neighborhoods. They became more distressed until Stanley Lowe was made aware of this powerful piece of legislation to hold the banks accountable.

At this time legislation is moving. It's called House Rule Ten for financial modernization for banks. You know how banks are moving. They're merging, they're becoming these big mega institutions and embedded in this piece of legislation they want to kill CRA. While most of our neighborhoods that we work in and most of Council Districts were redlined in 1988. There was no movement of dollars. This will be backdoor redlining.

If you own a home this legislation affects you. You may not get a buyer for it if you live in a certain neighborhood. We cannot do development in those neighborhoods. I cannot stress to you the importance of this legislation being passed that it will not weaken CRA legislation. \$25 million has been dumped on this piece of legislation in the past three years. That's how important it is to the banks and to the insurance companies that it not survive. We're not the rich and famous. We have been up there lobbying.

We need your leadership, we need Congresses leadership we're very frightened. This vote will be taken at the end of June. It will have a tremendous, tremendous impact on this city if it does

not go the right way. I don't know what else to tell you, it is very serious. It is one of the most important pieces of legislation that is building the City of Pittsburgh and our neighborhoods. So if you can also make those phone calls to Congress we will appreciate that. They need to hear from you and every resident in the City of Pittsburgh that's how important this legislation is.

Thank you very much.

Mr. Onorato:

If I could just add too, this is probably one of the most productive pieces of legislation that ever came out of Congress 10 years ago. The CRA has benefited, my district along with many of my colleagues and my entire district benefits from it. But I want to point to people listening, this is not asking for government. This is actually private money that we are just asking the banks to make good loans to people that qualify. There are no income requirements so you can be making anything. It's just that we want the banks to stop not lending to these areas.

I challenge any bank to bring forward a portfolio of loans made in the CRA areas to show that they're any worse in their overall defaults of any other loan. It just isn't the truth. These are good loans they are making. They just don't want to do the extra effort to lend in certain areas because of a perceived problem. This is not asking for any government money, it is just asking the banks to do the right thing and to lend private money to individuals that have to pay it back. These are mortgages, these are not grants, individuals that sign a

mortgage that want to pay and have a home but never had the opportunity to do it because of maybe one problem on a credit report some where. But the history has shown these loans are as good as any of the other loans in their portfolios across the board.

I would just add that maybe we should also do a letter, a positive letter, from Council to all the heads of the banks in this region asking for if they are supporting it or not.

Mr. Udin:

Thank you, Mr. President. I want to lend my voice to the support and thank all of you activists for standing up for people who can't stand up for themselves. There are a lot of people who have benefited from CRA and don't even know it. It's nothing that costs the banks anything, it is just requiring them to be fair to all neighborhoods. To discontinue to practice of redlining in the neighborhoods that have benefited from CRA, people who have benefited from the loans and the various products that are presented they have as good a credit rating as anyone else in the banks portfolio. This is not costing the banks money. The banks have done quite well by this.

But also it is important to appreciate I think that when we start sending letters, we need to start sending letters to the Republicans and Rick Santorum. Because Rick Santorum is at the head of this effort to beat back the CRA legislation. So I applaud all of you in your efforts and I will be right there with you. Thank you.

The Chair:

Do we have a second to send a letter?

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Copy to Mr. Santorum.

Mr. Udin:

Make a special letter for him.

The Chair:

Thank you all very much.

Mr. Onorato:

At this time have Old Allegheny and Springview come forward. All the kids and coaches associated with the hockey program.

Colleagues, I have to warn you as they are coming forward and you have to believe me, Sala, and I don't want you to think that I planned this. But the name on that shirt I did not know that was the name of the team. I just sponsored it, but thank God I won the primary or I would be pretty embarrassed right now as they're coming forward. When they walked in today I said they're not going to believe here that I didn't plan this but I did not plan this believe me. Mr. Ferlo won't believe me no matter what I tell him.

We have a lot of parents in the audience too and supporters of the program.

MR. ONORATO PRESENTS:

No. 1740 WHEREAS, the 1999 Old Allegheny/Spring View 12 and Under Hockey team defeated the Ormsby 12 and Under team by a score of 3-2 in overtime to capture the Citiparks B.I.G. League Hockey Championship; and

WHEREAS, the 1999 Old Allegheny/Spring View 12 and Under Division team's overall record for the tournament was 13 wins and 1 loss; and

WHEREAS, the team was coached by Jeff Johnstone and Jeff Moser. Team members are:

Ricky Brown
Josh Ford
Jeff Harmon
Bob Dailey
Dan Gregory
Mike Winsand
Dustin Tester
Brett Moser
Mike Bower
Billy Johnstone
Kurt Bauman
Craig Bauman
Jason McDonald

WHEREAS, on April 9, 1999 at the Neville Deck Hockey Court the Old Allegheny/Spring View 10 and Under team defeated the Arlington 10 and Under team 3-1 to win the Citiparks B.I.G. League Hockey Championship; and

WHEREAS, the 10 and Under Team was undefeated at 12 and 0 and only gave up 5 goals throughout the entire tournament; and

WHEREAS, the 10 and Under team was coached by Bud Beatty, Chuck Nauman and Vance Reddick. Team members are:

Adam Beatty
Steve Gregory
Brian Kuhn
Ryan Nauman
Mike Nauman
Ashley Kasenic
Zack Reddick
John Pfund
Shawn Caton
Andrew Wyzkoski
Ron Pavlik
David Nocleg
Brian Cogley
Jeff Brace
David Preskar

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the 1999 Old Allegheny/Spring View 12 and Under and 10 and Under Hockey teams on an outstanding, exciting, and exceptional championship season!

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

We have to point out, one good thing, Mr. Ricciardi, is that the good news is that Arlington and Ormsby made it to the finals also so we congratulate them too.

I want to point out two other things

because this represents something you didn't hear in the proclamation. One, you heard Old Allegheny, Springview. Old Allegheny is a combination of a lot of different little league and athletic organizations that were failing over the years because of loss of population. A few individuals on the North Side got together and decided to take a lot of the struggling organizations and make a strong league called Old Allegheny along with Springview. We really have seen the resurgence of athletics for this age group because of the merging of these facilities. These are where a lot of our new concession stands are being built for anyone who wants to know what we are doing with that money and why we are building them. It is for these kids that are standing here plus a lot of other kids.

The other thing, this also represents creative thinking in our parks where we had a whole basketball court and converted it to hockey, deck hockey. Kids want to play hockey now days. We have to look at some of these fields and these play areas and re-evaluate what exactly the neighborhoods want. They came to me with the idea and said we want hockey up here and now they are the champions. So they take it seriously. We have to be willing to adapt some of these facilities to what the kids of the nineties really want to do.

At this time I congratulate you and let's have Bud, you want to say a few words, and then introduce the players.

John Pfund:

We would like to thank the City Council for letting us come down here and we would really like to thank

representative Walko. Thank you.

Mr. Onorato:

I want to point out, you didn't here that, they thanked Representative Don Walko who has also been a very strong supporter in helping fund a lot of these organizations and activities.

Jayson McDonald:

I would like to thank Representative Dan Onorato for letting us play in this league.

Mr. Onorato:

Walko's name did make the shirt. It is a lot smaller, he didn't give enough I guess.

Mr. Beatty:

If anyone else is running for office, give us your number we'll put you on the shirt. We would like to thank Dan. He has always helped us out and Council with the grants.

Can we get at roof up there so we have no rainouts in these hockey?

Mr. Onorato:

You got the largest concession stands so far.

Mr. Beatty:

Thank you.

The Chair:

I just wanted to mention one thing. Not only congratulate all of you, but the

Big League Program does not only baseball but soccer, hockey, little league. Our Citiparks I think really does a great job. I know I talk a lot about the baseball and pony league programs, but our Citiparks are to be commended all over the city for what they do for young kids and it is just not baseball. I think baseball kind of gets the most attention. So we have a future Mario Lemieux here. We could use you.

Mr. Onorato:

Is there anyone from Big League here. They were supposed to be here today. If anyone is in the audience, I don't see any. But I want to thank Big League. They are running some great programs. Let's try to get in the picture.

Mr. Udin:

Thank you, Mr. President. Colleagues, this morning we have a cause to celebrate. We are honoring the people in the neighborhood who saved the life of Kenya Johnson. I know many of you heard about the nine-year-old girl in Manchester who climbed over the fence of the swimming pool. But for the bravery and the quick thinking of the residents and the quick response by EMS and the rescue unit, this little girl might not be alive today. I have asked those people involved to join us this morning in a resolution. I hope you will welcome them appropriately.

I would like to invite Sharon Wade and Albert Boxley. If Diane Gaston is here, and the EMS and rescue workers, Jeff Trunick, Riz Vallez, Jerry Wasek and Tony Novak please join us. I understand Chief Kennedy is here as well. We often

say that it takes a village to raise a child and one of the responses I remember making to the tragedy that occurred was that the community has to be aware of what is going on with children in the neighborhood. The community has to have their eyes and ears open and when they see kids in the neighborhood doing things that they shouldn't be doing, to respond and to make sure that they set them straight and give them some guidance and parenting. That's exactly what happened here.

The little kids as kids do, it was hot. You remember how hot it was early this spring, climbed over the fence and ended up face down in the swimming pool. I won't try to recount exactly what happened, I will let the people who are involved in it recount what happened. But I would like to read the proclamation and then have them share with you what happened.

MR. UDIN PRESENTS:

No. 1741 WHEREAS, on Friday, June 6, 1999, a near fatal tragedy was averted by the quick response of Diane Gaston, Sharon Wade, Albert Boxley, the Medic team 10, Jerome Wasek, Rizieri Valles, and the Rescue Team 2, Jeffrey Trunick, and Anthony Novak; and

WHEREAS, Diane Gaston observed Kenya Johnson's body floating motionless in the swimming pool and acted decisively in calling 9-1-1; and

WHEREAS, Albert Boxley realizing the need to act immediately, pulled Kenya Johnson's body out of the pool at which time Sharon Wade immediately began to apply CPR until

being relieved by the medic and rescue teams; and

WHEREAS, an emergency call went out at approximately 9:31 p.m. the medic and rescue teams were on the scene at 9:41 p.m.; and

WHEREAS, Kenya Johnson a nine year old, female student and resident of Manchester was placed in critical condition, but now she has been released in good health our prayers and good wishes goes out to her and her family; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of Pittsburgh recognizes and commends Ms. Sharon Wade, Mr. Albert Boxley, Ms. Diane Gatson, Mr. Jerome Wasek, Mr. Rizieri Valles, Mr. Jeffrey Trunick, and Mr. Anthony Novak for their diligent and immediate response in this unfortunate event. We join together to honor the private citizens and EMS workers for preventing a tragedy from occurring and saving the life of Kenya Johnson.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Udin:

Thank you. I would like to invite Sharon Wade to just say a few words if you would and receive a proclamation.

Ms. Wade:

Hi. I just would like to say that I

thought anyone would do it. And God just happened to have me there. Thank you.

Mr. Udin:

And Albert Boxley pulled her out of the pool.

Mr. Boxley:

Yes. I would like to say that the Lord put me there for a reason and I thank him for that. But we need to have more supervision over our pools at night so if there could be something done about that. I would like to say those words and hope that there could be something done about that. Thank you.

Mr. Udin:

The EMS workers were also on the scene. They arrived very quickly. The medic teams Jerome Wasek and Rizieri Valles were there and then they were followed by Jeff Trunick and Anthony Novak. I would like to have either of you to please come up and receive a proclamation and please say a few words.

Mr. Trunick:

I would like to speak in behalf of my co-workers here. It's a job that we're trained to do and I think we do it very well to save this girl. But the true heroes are these three people. They didn't have to jump the fence. They didn't have to go into the pool. They didn't have to do any of that. But those are the heroes. Those are the ones who actually were able to initiate saving this girl's life before we got there. If they did not do that, our job is increased ten times fold. So those are the true heroes. We are paid to do this and

again we do it very well, but those three are the heroes. Thank you.

Mr. Udin:

Thank you very much. We can take a photo here.

The Chair:

Congratulations. Thanks a lot.

Would Mr. McCarthy please come up? We're honored today to have Dennis McCarthy of the Lion's Club. And he's going to speak or do sign language. Actually, Chelsey, she studies this too. You see what he's doing? You want to help him? You want to come up and help him?

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1742 WHEREAS, the Pittsburgh DeafBlind Lions Club was chartered in October of 1995; and,

WHEREAS, the Pittsburgh DeafBlind Lions Club is unique in that it is the only one of its kind in the world; and,

WHEREAS, the Pittsburgh DeafBlind Lions Club follows the mission of Helen Keller; and,

WHEREAS, while contributing to other lion's activities, the majority of funds raised by the Pittsburgh DeafBlind Lions Club are used to support people who are Deaf Blind in the Pittsburgh area; and,

WHEREAS, all monthly meetings, held at Pittsburgh Vision Services, are open to everyone as the club is accessible

and interpreted in American Sign Language as well as tactile for deaf blind members and guests; and,

WHEREAS, the Pittsburgh DeafBlind Lions Club is celebrating Helen Keller's birthday in Market Square on Friday, June 25, 1999, at 11 am.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Pittsburgh DeafBlind Lions Club on their commitment and dedication to a growing population in the Pittsburgh area; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of June 21st - June 28, 1999, "Deaf Blind Awareness Week" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

You want to tell us what is going on?

Mr. McCarthy:

Mr. President and Council members, thank you for proclaiming this week Helen Keller Deaf Blindness Week for the DeafBlind Lion's Club of Pittsburgh. We are very special and unique club only because we are the only DeafBlind Lion's Club in the world. And that is really nice to know because we are here located in Pittsburgh, Pennsylvania.

Recently we had designed a pin that was made by a deaf woman who got the idea from a deaf blind little girl from Massachusetts. That pin I am wearing today and have for each of you as Council members. It also won the state pin of the year that we're very proud of.

We are a new club only five years old and we have grown a lot with different support services that we have provided to the people around 275 deaf blind people here in our area. Our job is not only to educate the public but also to take these groups of people socialize and have them involved in activities that we do every day. But they are not allowed to do or can't do because of non-accessibility. That's what we do is make sure that tactile interpreting and sign language interpreting is open at all of our meetings so that people can come and enjoy themselves.

One of the events that we are going to be holding really soon is going to be a Pittsburgh blind school, I am sorry Pittsburgh School for the Blind in Oakland and that is art auction that's going to be held on September 25th. All of that money that we raise at that auction will be used to support deaf blind adults and children to go to camp in the year 2000, and 2001.

We hope that we can invite you to come and hope that you will show up for that. Again, thank you very much for the charter and the announcement of our club. Thank you. We expect you to wear these.

MR. COHEN AND MR. O'CONNOR PRESENT:

No. 1743 WHEREAS, Israel Bonds is the foremost investment

organization in this country for the State of Israel; and

WHEREAS, Community Leaders Nancy and Richard Simon will be honored on Tuesday, June 22, 1999, at a dessert reception sponsored by Rodef Shalom Congregation on behalf of the Pittsburgh Tri-State Israel Bonds Campaign; and

WHEREAS, the Simons are being honored for their service to their congregation, their volunteer activities in the community, and continuing support of Israel Bonds; and

WHEREAS, Nancy Simon has served Rodef Shalom with distinction, having won the Congregation's "Sisterhood Volunteer of the Year" award, and has served as Vice President and Treasurer of the Sisterhood, is currently co-chairman of the Gift Corner Workshop, has served on the Congregation's Board of Trustees, has chaired the Cemetery Committee and apart from her work for Rodef Shalom, has served as President of the Ladies Hospital Aid Society and is currently senior member of SHIP (Senior Health Insurance Information Program); and

WHEREAS, Richard Simon, Secretary-Treasurer of Armstrong/Kover Kwik, Inc., a family-owned manufacturing business, is chairman of the Pittsburgh Chapter of the Family Firm Institute, is actively involved with the Jewish Healthcare Foundation, and has served Zeta Beta Tau Fraternity for six decades, having been President of the National Interfraternity Conference, an organization representing 400,000 undergraduate men and has been the recipient of the Gold

Medal, for his lifetime involvement with college fraternities; and

WHEREAS, Nancy and Richard Simon are the proud parents of two children and four grandchildren; and

WHEREAS, in recognition of their dedication to our community and support for the State of Israel, Nancy and Richard Simon will be honored by Israel Bonds and Rodef Shalom Congregation on Tuesday, June 22, 1999, at 5:30 p.m. with Gideon Patt, President and Chief Executive Officer of State of Israel Bonds, as keynote speaker.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Nancy and Richard Simon for their dedicated years of service to our community and to Israel; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares

June 22, 1999, as Nancy and Richard Simon Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Now is the time we would like anyone with public comments. Anyone wishing to address Council has three

minutes to do so at this time. Please give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, that's in the Hill District. I have come today to plead with you to let me speak five minutes. The reason why is that I have received some disturbing information. These are letters that I received regarding Chief Fadzen who is the Chief of the Head of Security for our Department of Pittsburgh Public Schools. I went to try to see your Clerk, Linda, because I have here, we the undersigned are requesting a public hearing in the action of Chief Fadzen, Head of Security that have put the children that attend the Pittsburgh Public Schools System in Pittsburgh, PA in physical and emotional harm while placing the children who -- while placing the children in life threatening situations.

When I received this, I became very frightened because there appears to be a cover up. It says this. Dear Mrs. Brown, while we are on the subject of Caucasian members of the school security department getting preferential treatment, here is another case of a cover up. One of the security police officers who patrolled the North Side his name is, and I will leave that out because you have that, was caught for the second time with a young boy at Art Rooney Middle School on the third floor in a vacant classroom. He said he was wrestling with the boy.

The security chief and the administration has managed to keep this from the North Side Community and the

parents in particular of the school. No one knows that the Pittsburgh Police were not notified or what the boys parents were told. Some administrator officials threatened the jobs of other workers who knew about this incident about saying anything.

I think that as a parent, the board has an obligation to tell the parents of Art Rooney that a sexual pervert is possibly preying on their children and what is the being done about it. As a matter of fact what was done the first time? This incident happened sometime around the beginning of June. No one knows for sure because no information can be found about who or what is doing this.

PS, there is a lot more of the same kind of scamming going on and I will make sure that you, yourself and others hear about it.

Now please understand, when I got this letter I was so upset and there is other stuff I have here. I called Dr. Fredrick. now Dr. Fredrick is getting ready to leave but I gave him the honor because he's still the district, our director. He's getting ready to leave but he has no clout anyway. The board made the decision when he tried to fire Chief Fadzen that they over-road him.

Now here is another letter and in here -- I am telling you they sent me all this. You need to know that here is the police report for another officer in a newspaper where he had been drunk and it said drunk driving. Here is the report and it says how many points, point 10.0 that he was drunk and that he was permitted to still work in our school system. This parent wrote that he says that the Chief

Fadzen said this is what it said. Dear Mrs. Brown, I am sending you some documents showing you how the chief of security for the Pittsburgh Public School System take care of his LP, and I am not sure what that stands for. But it says LP boys and doesn't care about the others in his department, all namely the African Americans. This officer's name is so and so, you can check with that and his main job is to do security, police officer for the different districts.

This same person did not work for McKees Rocks until -- he worked for McKees Rocks until he was caught driving drunk approximately at three o'clock in the morning when his car bounced off the walls under the West End Bridge. He wrecked his car so bad that he had to be cut out by the paramedics with the Jaws of Life.

McKees Rocks terminated him but in the paper it says suspended him for the next day. Mr. Fadzen of the school security thinks he can get this incident fixed by telling the School Board members and the administration namely Ron Suber, Gene Fink, Darlene Harris, Jody, and I will spell the last name S-P-O-L-A-R, Lee Nicholas and Bernie Manny that officer so and so had fallen asleep and that's how the accident happened. Well that's a lie and I am sending these reports showing the truth. As far as anyone knows nothing has been done to this person and the Chief told him not to worry and that the Chief will get it taken care of.

I think that as a parent and a citizen of the City of Pittsburgh that Mrs. so and so should not be allowed to continue to drive around the city in a taxpayer vehicle, picking up school children for various reasons and transporting them back to

school in a car being driven by a security guard that will have a hearing on June 30th in the City County on drunken driving charges. The security chief is doing everything possible to cover up these incidents and above all the above named people are supporting this effort.

Now when I call Dr. Fredrick as I said, I said you mean to tell me that this man was driving our children around even though he was charged with the these drunk driving charges and the Dr. Fredrick says to me --

The Chair:

Please summarize.

Ms. Brown:

-- that it did not happen while he was on the job. So I am going to go but I thank you for giving me the extended time. I have the papers and I am asking for an open hearing on Chief Fadzen and what the School Board has done. So thank you very much for letting me speak.

The Chair:

Next speaker.

Mr. Sell:

My name is Jack Sell. I want to speak to you again today about 425 Jay Street in Fineview. The property went to sealed bid in February of this year. My wife and I were the winning bidders. The property should go to us. What you are trying to do is change the rules in the middle of the game actually after the game is over and award the property to the Fineview Citizens Council. They were the

losers in the bidding process. They had the same chance to bid that we did.

What you're doing is like Pete Rosel telling Chuck Knoll and Art Rooney to give back the Super Bowl trophies that they won after the games are over because nine people got together and voted on it. That's exactly what you are doing except we are talking about a little vacant lot on Fineview not a Super Bowl trophy. But there is another reason why aside from the fairness issue that you should vote against this project. It's a bad idea.

Fineview Crest One took place on one side of Fineview. You can call it where the middle of Fineview meets the rear end of Fineview. The Jay Street property is clear over here on the front end beside my property on 1515 Warren Street. Fineview Crest Two that is being proposed here by the citizens is also on the far side of Fineview, it co-mingles every property with the existing development except Jay Street, which is way over here by my property. Now this end of Fineview the homes are different. They are mostly brick, they are larger, the yards are bigger. This side of Fineview traditionally has had row home and the development that has already been done has two distinct row type box housing involved with it. My side of Fineview does not have that row type of housing in this particular area.

There is a big estate across the street from me, it happens to be owned by Keith Gary who played for the Steelers, but it is like a mansion. The Henderson mansion is what it was known as. The row type box housing that the citizens want to put on Jay Street is right beside that property and right beside my three story brick home. It just doesn't belong

there. Whoever thought of that idea to put Jay Street in with the rest of this fine project, the citizens in my opinion ought to take them out back and beat them up, it just doesn't belong there. Thank you very much.

Mr. Ferlo:

I adhere to my comments of last week. I think this Council has acted very unfairly and equitably discriminatory wise you name it, we have done it wrong in the actions we have taken. I was disappointed we did not untable the bill last week. I think we should vote with the transaction.

I still encourage them to sue Council and collectively the City of Pittsburgh because I think he's definitely been wronged. I would ask that the Solicitor please be present at the meeting once again and attempt to untable this bill.

Mr. Onorato:

You don't have to. I gave you my word. I am going to untable the bill tomorrow.

Mr. Ferlo:

Now I am getting calls that what is going to go down is an attempt to not consummate this transaction but somehow basically convey this property to the community group. That's what I would like to the Solicitor to be present for.

Mr. Onorato:

That's fine. Everything I do I do in public. I want to invite all the media to be here, I am not ashamed to talk about what I am going to talk about tomorrow. There

is no hidden deal. And we are going to make a decision one way or the other up or done.

Mr. Ferlo:

I didn't say there was a hidden deal, just a raw deal. At least for this gentleman.

The Chair:

It will be on the table tomorrow and I request the Solicitor to be there.

Any other public comments?

Ms. Sell:

I don't know if I get a chance to speak also. I am Marilyn Sell, Jack's wife. I do want to tell you just share a couple of things with you because I think City Council doesn't know, as I realize that you are doing a lot of good things. I appreciate you had people here today working with banking I appreciate that. We need to bring if you have 10,000 lots or properties between you and the Urban Redevelopment Authority, here in the City of Pittsburgh, I only need to be sharing those with somebody. There are a lot of young yuppies of every race creed and so on that are interested in coming back to Pittsburgh. It used to be some place special.

Anyhow, I want to share a little bit about us. My husband was born in that house. His father moved there when he was three, he would have been 98 this year. So that house is about 95 years old. My husband's grandfather built it. By the way, my husband won't tell you this but his dad wrote for the Post Gazette for over

40 years. He wrote for the Pittsburgh Steelers. So we might be out of town but we're still here, okay.

We have been involved in this property for over five years and when they started talking about this gentleman the other day, 13 years I started to laugh. I know some of you turned and looked at me, but I could see myself with grayer hair, probably white, in eight more years still sitting in these city chambers. We started trying to get this property in 1994. We talked with the tax delinquent owner. He thought the city had already taken the property. When he found out the city hadn't, we made him an offer. The city said we couldn't buy it from him because they were taking it and it was the three taxing body for years.

Then all of a sudden the URA and I can understand your frustration, Mr. Onorato, because we have been there too for -- we have been going through this also. They whisked it away to their building and I found out when I went over there that was like being in the subway in Boston, you could be riding around for ever in the URA building and nobody would ever know you were there. Finally, it took a year and half to get some help. We have waited for an auction bid that never occurred, folks.

Finally we found out that we could be an objector and we don't necessarily object to the Fineview Citizens Council, we would just like to have that lot as a part of our property. We think it would enhance it and ultimately, gentlemen, we think it would increase the tax value there because we have some neat ideas in mind for adding decks that -- we're tight to the lot there. There are five lots that our house

is on. It is a ten room plus house, five fireplaces. We rent it section eight right now. We have two tenants in there. It has been a duplex since 1928 when my husband's granddad, his grandmother had a bad heart and they had to add on an addition they made it into two families.

What can I say folks? Thank you for your time. I appreciate that.

Mr. Ferlo:

I would like to ask this individual if there are any violations under the section eight leasing requirements? Are there any violations on this property pursuant to the section eight housing requirements on this property?

The Chair:

Who are you asking? This individual?

Mr. Ferlo:

The lady who just spoke.

Mr. Ricciardi:

I just have a suggestion, if there is no objection, Mr. President. As you know we have a 12 o'clock funeral for one of our fallen firefighters and maybe we can discuss this all tomorrow.

The Chair:

I believe they will be present tomorrow?

Mr. Ferlo:

It was a quick yes or no. Are there

any outstanding violations of the section eight leasing requirements for this property on Jay Street?

The Chair:

I understand the question. We don't want to get into the debate at these meetings though. I will give you one minute to answer.

Mr. Sell:

There are no violations that we are aware of. No one has notified us of any.

Mr. Ferlo:

I also think you should file civil rights lawsuit against the City and this Council also. Thank you. And against the Fineview Citizens Council as well.

The Chair:

We look forward to tomorrow's discussion. And again our attorney should be there. Any other discussion? Any other comments from the citizens? Hearing none move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1744 Resolution providing for the letting, during the calendar year 2000, of contracts and for the use of existing contracts for the maintenance, rental, rehabilitation, renovation, inspection or servicing of personal property, and also for bonding, insurance, printing and any other related services, and for the maintenance and repair of buildings, structures or any

other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, at a cost not to exceed \$10,000.00.

No. 1745 Resolution providing for the letting of contracts and the use of existing contracts for the purchase of materials, general supplies and equipment by various Departments of the City of Pittsburgh during the calendar year 2000, at a cost not to exceed \$10,000.00.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 1746 Resolution amending Resolution No. 233, effective May 13, 1998, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Design and Construction of the Grandview Photography Park in Mt. Washington; and providing for the payment of the cost thereof," by increasing the total project allocation by \$70,000.00 from \$27,000.00 to \$97,000.00.

No. 1747 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Grandview Public Space Improvements; at a cost not to exceed \$150,000.00.

No. 1748 Resolution amending Resolution No. 272, effective May 7,

1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Bridge Inspection and Maintenance Program; and providing for the payment of the cost thereof," by increasing the total project allocation by \$55,000.00 from \$85,000.00 to \$140,000.00.

No. 1749 Resolution amending Resolution No. 278, effective May 26, 1998, entitled "Providing for a Contract or Contracts, or use of existing Contracts in connection with the Restoration of Seven (7) Tennis Courts at Schenley Oval, the Renovation of the Playground in Frick Park at Beechwood Boulevard, the Renovation of a Recreation Area at Hawthorne Grove in Highland Park, the Restoration of Victoria Gardens in Highland Park, and for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof," by increasing the total project allocation by \$39,499.00 from \$620,000.00 to \$659,499.00 and by correcting the Sub-Class within the account.

No. 1750 Resolution further amending Resolution No. 838, effective January 1, 1998, as amended, entitled "Resolution adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 1998-2003 Capital Improvement Program," by increasing the "Parks Reconstruction Program" by \$39,499.00 from \$620,000.00 to \$659,499.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1751 Resolution providing for an agreement or agreement with Gildas A. Kaib, Jr., his successors and assigns for utility easements and an easement for ingress, egress and regress in and over a vacated portion of Vinecliff Street in the 18th Ward (Council Districts 2 and 3). — (SPONSORED BY MR. HERTZBERG)

No. 1752 Resolution providing for an agreement with Gildas A. Kaib, Jr., his successors and assigns for an easement of ingress, egress and regress over property owned by the City in the 18th Ward designated as Block and Lot 4-G-249, 35 Vinecliff Street (Council Districts 2 and 3). —(SPONSORED BY MR. HERTZBERG)

MR. HERTZBERG moved to suspend Rule by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1753 Resolution granting unto Michael J. Septak, Allegheny City Electric, Inc., 1139 Woodland Avenue, Pittsburgh, Pennsylvania 15212, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a planter on the sidewalk area of 1201 Woodland Avenue and a stoop and handicap ramp on the sidewalk area of Stayton Street, in the 27th Ward, 1st Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water & Environmental Services

MS. MCDONALD PRESENTED:

No. 1754 Resolution approving the Bedford Redevelopment Proposal dated May, 1999, including the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 31, Crawford-Roberts and Redevelopment Area No. 42, Greater Crawford-Roberts, in the 3rd and 5th Wards of the City of Pittsburgh (Council District No. 6).

No. 1755 Resolution approving a Cooperation Agreement or Agreements with Urban Redevelopment Authority of Pittsburgh to implement the Bedford Redevelopment Proposal. (Council District No. 6)

No. 1756 Resolution approving the River Avenue Redevelopment Proposal dated June, 1999, including Modification No. 2 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 48, River Avenue, in the 23rd and 24th Wards of the City of Pittsburgh (Council District No. 1).

No. 1757 Resolution approving a Cooperation Agreement or Agreements with Urban Redevelopment Authority of Pittsburgh to implement the river Avenue Redevelopment Proposal (Council District No. 1).

No. 1758 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the River Avenue

Redevelopment Area (Council District No. 1)

Which was read and referred to the Committee on Housing, Economic Development & Promotion

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced.

MR. ONORATO seconded the motion.

Also,

No. 1759 An Ordinance amending and supplementing the Pittsburgh Code, Title 2, Fiscal, Article I, Administration, Chapter 201, City Treasurer, Section 201.11, Tax Increment Financing (TIF) Registration, by adding new sections regarding the commitment to employ city residents at facilities which are supported by Tax Increment Financing. — **(SPONSORED BY MS. MCDONALD & MR. O'CONNOR)**

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the meeting.

Which motion prevailed.

Also,

No. 1760 Resolution authorizing a 1999 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh will transfer \$3,531.27 to the City of Pittsburgh to be used by the Department of City Planning to fund community development corporations. Said funds will be deposited in the Community Based Organizations Trust Fund.

Which was read and referred to the Committee on Housing, Economic Development & Promotion

MR. ONORATO PRESENTED:

No. 1761 Resolution providing for the transferring the amount of two thousand dollars (\$2,000.00) from City Council, Sub Class Miscellaneous Services to the Korean War Veterans Memorial. — **(SPONSORED BY MR. ONORATO)**

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1762 Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Board of

Public Education of the School District of Pittsburgh for authorization to construct a one-story extension and a one-story addition to the rear of the existing school building on property located at 125 Parkfield Street, zoned "RSD-2" Residential Single-Unit Detached, Low Density, 29th Ward.

No. 1763 Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Board of Public Education of the School District of Pittsburgh for authorization to increase the student capacity of Rooney Middle School through the addition of a one-story modular structure containing two classrooms on property zoned "RT-2" Residential Two-Unit, Low Density, 27th Ward.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 1764 Resolution transferring the sum of Twenty-Five Thousand Dollars (\$25,000) from Account 568500, Fund 1000, Organization 103000, Sub-Class 160, Budget Year 1999 to Account 516000, Fund 1000, Organization 103000, Sub-Class 020, Budget Year 1999, Mayor's Office, City Information Systems. This transfer is necessary to compensate our staff for the extra hours necessary to handle the extensive volume of work related to the Y2K projects and applications.

No. 1765 Resolution providing for the issuance of a warrant in the sum of \$12,500.00 to Carol A. Loncar c/o Paul D.

Boas, esquire, fifth floor, Law & Finance Building, 429 Fourth Avenue, Pittsburgh, Pa 15219, in full and final settlement of an action filed at gd 94-00820 and arising out of the issuance of a summary criminal citation against Ms. Loncar on or about January 18, 1992.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1766 Resolution authorizing the City Solicitor to enter into a binding agreement with the Pittsburgh Building and Construction Trades Council pursuant to the Memorandum of Understanding of April 6, 1999 between the Pittsburgh Building and Construction Trades Council and the City of Pittsburgh. — (SPONSORED BY MR. O'CONNOR & MR. FERLO AND CO-SPONSORS MR. HERTZBERG & MR. RICCIARDI)

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1767 Communication from Stanley Lowe, Executive Director of the Housing Authority of the City of Pittsburgh, submitting the 1999 annual list of employees, positions and salaries.

Which was read, received and filed.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ricciardi:

Yes. Thank you. Last week my full attention was directed towards the historical designation expansion in the Southside. Thus I was remiss in making an amendment. I would like to make a motion for reconsideration of Council Bill Numbers 1256 and 1259 so the legislation can be amended.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you. Colleagues, we have a memorandum before you that was drafted by Jim Brown our Zoning Administrator that would change a few words to both bills. Basically we're saying to a developer of an apartment building that it is not a requirement that the first floor be retail. However, the residential units may be limited only to the top floors. So the discretion would be before the Zoning Board of Adjustment. I think it's very

unfair and very difficult for a developer or contractor to agree that the first floor of a reuse of an industrial building will be for retail.

For example, we're going to have one in the Southside. The developer is going to take in an old dilapidated building, hopefully have 50 lofts, it's in a residential district. And we're not looking for mixed use or retail component in a residential district. According to Mr. Brown, who I have complete faith in, that this wording would allow the discretion before the Zoning Board of Adjustment. Thank you.

MR. ONORATO seconded the motion.

The Chair:

Discussion on the amendment?

Mr. Ferlo:

Are we only changing the use characterization or are we changing the approval process as well?

Mr. Ricciardi:

According to Mr. Brown, we're only changing not the use so it would not have to go before the Planning Commission for further deliberation. However, it can be changed in the Council Chamber. Once again, this is information given to me by Mr. Brown who once again I have full faith in.

Mr. Ferlo:

The reason why I am confused, is the point number two which is being crossed out the approving body shall determine that the proposed use shall create. I

understand what my colleague is saying about not wanting to box in a U1 industrial or commercial building with the requirement that they must have retail on the first floor if they're looking to redo it as basically a residential structure. I think that's -- if I understand Mr. Ricciardi that's basically the intent.

But in so doing, I am confused as to why we are also lining out or deleting section 911.04 A 85 multi-unit on number two, the approving body shall determine. It sounds like we are not allowing the board or a protestant to appear to talk about detrimental impact on these projects. Maybe I am wrong on that, but I think --

Mr. Cohen:

Mr. President, I would like a chance to take a stab at it if I could. I may be wrong, but let me first of all thank Councilman Ricciardi for bringing this forward. This was a question that I raised at our discussion of the whole bill a couple of weeks ago. I had received a call from someone presumably who wanted to do a lot of development and was concerned that he couldn't do a complete residential development but rather had to put commercial on the first floor and didn't want to do that. So I do appreciate Councilman Ricciardi and Jim Brown making this change.

As far as that number two, as I read it the way it was before it was stricken, it just frankly didn't make any sense. To say that the approving body shall determine that the proposed use shall create detrimental impacts it doesn't give any discretion to the improving body and why would you say that the proposed use shall create detrimental impact.

I think, my guess, they probably took it out because it just didn't make any sense. And you have the right of course, the Zoning Board has the right under the whole code to determine at any time whether there is a detrimental impact or not.

Mr. Ferlo:

Why doesn't it say that? Why doesn't it just say that the improving body shall determine whether or not detrimental impact -- whether there are a detrimental impact.

Mr. Cohen:

Whether there is a detrimental impact.

Mr. Ferlo:

Pursuant to the six characteristics that are under the code.

Mr. Cohen:

I think they have that right any way under the general portion of the code. But I am happy to check afterward.

Mr. Ferlo:

Thank you.

The Chair:

Any further questions or discussion?

Mr. Ricciardi:

Just to follow up on that and I agree with the reasoning put forward by

our Colleague Mr. Cohen. But Mr. Ferlo would you because page one is the most important right now. Would you want to make an oral amendment, we can waive the rules of Council and change that right now?

Mr. Ferlo:

No, I will just vote for it as is. I just don't understand the second part. I will vote for it as is. I just didn't understand the second part.

Mr. Ricciardi:

Let's vote as it is now. We're comfortable with page one and I will follow up with page two and if need be I will just amend the legislation through the normal process. Is that okay, our City Clerk?

The Chair:

All in favor?

Which motion prevailed.

The Chair:

Do you have another amendment on that, Mr. Hertzberg?

Mr. Hertzberg:

No, not under that.

The Chair:

Anything else under unfinished business. Now move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1768:

Report of the Committee on Finance and Budget for June 16, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1582:

Resolution providing for a contract or contracts for professional services with Grant Street Advisors, Inc. to provide financial advisory services for the years 1999, 2000 and 2001, an annual cost not to exceed \$250,000.00, an aggregate amount not to exceed \$750,000.00, chargeable to and payable from Account 583000, Fund 5100, Organization 106000, sub-class PGHPR, BY 1999, Project #2209990.

Which was read.

Also,

Bill No. 1705:

Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act (JTPA), and/or Workforce Investment Act of 1997 (WIA) and/or the Joint Jobs Initiative Program Single Point of Contact (SPOC) and/or the Balanced Budget Act of 1997 (WTW), and providing for the deposit of funds into a

bank account, in an amount not to exceed \$10,800,000.00.

Which was read.

Also,

Bill No. 1706:

Resolution providing the authorization to make all legitimate expenditures for agreement/s with various agencies for job development and employment services, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies, related outreach and recruitment costs and administrative expenditures necessary to implement the 1999 Neighborhood Employment Program, Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program; and providing for the periodic transfer of funds to be used, at a cost not to exceed \$700,000.00.

Which was read.

Bill No. 1732:

Resolution transferring the amount of eighty-five dollars (\$85.00) from City Council Sub Class 150, Misc. Services, Account: 526100, Org: 101110, Fund: 1000, Budget Year: 1999 to the following accounts: sixty dollars (\$60.00) to the Zoning Board of Adjustment, Code Account #462180, Fund 2404, Org. 272000; and twenty-five dollars (\$25.00) to the Zoning Board of Adjustment, Code Account 474320, Fund 2303, Org. 274100. (SPONSORED BY MR. ONORATO).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

First, if we could take Bill 1732 this is a bill sponsored by me. I am making a motion to table that bill.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion?

Mr. Onorato:

Just real briefly. I will just as a protest vote, I will be voting no again on Bill 1706 because of the percentage of summer youth in Public Works. I think it is too low.

The Chair:

Any other discussion? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Udin
 Mr. O'Connor
 (Pres't)

(Mr. Onorato and Mr. Ricciardi voted no on Bill 1706, abstain on Bill 1582, Mr. Ricciardi abstained on Bill 1706, Mr. O'Connor voted no on Bill 1582.)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1769:

Report of the Committee on Planning, Zoning and Land Use for June 16, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1472:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure located at 514 Smithfield Street, and all of the property designated as Block and Lot Number 2-E-030, in the Second Ward, City of Pittsburgh. --(COUNCIL DISTRICT #6) (Hearing held June 8, 1999)
Which was read.

Also,

Bill No. 1561:

Resolution approving a Conditional Use exception under Section 993.01(a)A(27) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Gildas A. Kaib, Jr. for authorization to construct three, two-unit townhouses to be located at 19-21, 23-25, and 27-29 Vinecliffe Street on property zoned "S-A" Special District, Class A, 18th Ward. (Hearing held June 10, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Bill No. 1561 the Conditional Use resolution involving the Gildas Kaib, Jr. and property in the 18th Ward.

First, I would like my comments brought forward from last Wednesday's meeting. And again I will try to be brief but there are complicated number of amendments that are happening. I am going to try to kind of summarize them. And they are in response to concerns raised by the residents of Vinecliff Street during the public hearing we held on this.

The legislation as it came over from the Planning Commission approving this Conditional Use contained a number of conditions for what's known as block and lot 4-G-249 which is a piece of land that actually is off of Vinecliff Street and it is a piece owned by the city. The Planning Commission had proposed that that property be sold to Mr. Kaib but that Mr. Kaib grant the residents the right to

park there and to turn around there. What we're proposing to do instead is to keep this as a city property. It will not be sold to Mr. Kaib, it will be retained by the city but the city will grant Mr. Kaib the right to get in and out of that property.

I actually introduced that resolution separately earlier in our meeting today to grant him the right of way to go through 4-G-249. There is also a piece that wasn't addressed separately by the Planning Commission but does appear in URA Legislation that we will get to under the next committee. But it's a portion of Vinecliff Street and it needs to be vacated. And we're officially saying now through the amendment that this will not be conveyed to Mr. Kaib. Although the URA had proposed to convey it to him, rather he will receive rights of way from the city for his utility lines and also a right of way for ingress and egress from other properties that he owns and receive those from the city. I introduced another resolution separate resolution to do that also today.

Block and lot 4-G-264 the Planning Commission had actually asked that that not be sold to Mr. Kaib in its conditions. We're proposing that it in fact be conveyed to Mr. Kaib however we are asking that it be sub divided because the main concern were some steps commonly called city steps that are used by the residents of the street that nothing happen to those steps. So the amendment provides for the steps to be subdivided from the rest of the parcel. The steps and an area for maintenance of them to be retained by the city and then the rest conveyed to Mr. Kaib. And those are the amendments that you see in front of you on this bill and at this time I am going to make a motion to amend formally.

(See Addendum for Comments)

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1770:

Report of the Committee on Housing, Economic Development and Promotion for June 16, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1579:

Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gildas A. Kaib, Jr., for the Sale of the following Properties in the 18th Ward of the City of Pittsburgh (Council District No. 3 - Residential Construction): (PRESENTED BY MS. MCDONALD & MR. HERTZBERG) (Hearing held June 10, 1999)

18th Ward
4-C-94 B/L
6 McArdle Roadway

18th Ward
4-G-254 B/L
8 McArdle Roadway

18th Ward
4-G-256 B/L
43 Vinecliff Street

18th Ward
Part of 4-G-264 B/L
41 E. Sycamore Street

Which was read.

Also,

Bill No. 1613:

Resolution authorizing the URA to acquire all of the City's right, title and interest in publicly-owned property in the 18th Ward, Council District No. 3 - Residential Construction. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG). (Hearing held June 10, 1999)

Which was read.

Also,

Bill No. 1731:

Resolution approving execution of a Contract for Disposition of Land by & between the URA of Pittsburgh and the Soffer Org., or an entity to be formed, for the sale of Parcels B & C in Subdist. I(A) and Parcel D in Subdist. II(B) (Pt of B&L 29-J-8) in the 16th Ward of the City of Pittsburgh in Redevelopment Area No. 55-S. 26th Street, E. Carson Street, proposed Gateway Boulevard & the Monongahela River Council District #3 (mixed office/retail development).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Mr. President, again there are amendments involving the disposition contract with Mr. Kaib which is Bill 1579 and the bill authorizing the URA to acquire the city's interest in the property which is Bill 1613. And these bills are in conformance with what I mentioned on the Conditional Use legislation.

First they are removing two of the parcels from the transaction all together. They're also amending the one piece that contains the city steps to read that it is only a portion of that because of the steps themselves will not be acquired. They will

be retained by the city and the purchase price is reduced by the amount of land that had been bargained for by Mr. Kaib that in fact he will not be receiving it is down from 100,000 to 92,000. And I am I make a motion to amend those two bills with the written documents.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Discussion on the amendment?

Mr. Ricciardi:

Yes. Just on the amendment the bills themselves. I think Councilman Hertzberg has done a great service to the residents of the immediate area the developer and the City of Pittsburgh. The residents never objected to the project. So it's going to bring in property taxes and hopefully even wage taxes. And I am sure some very fine people.

But at the same time this body had to be very careful to protect the concerns and interests of the immediate residents and I think we have done that with these appropriate residents, these appropriate amendments. Now hopefully barring no surprises in the future, there should be a nice neighborhood in that immediate area and everyone should be happy especially the residents that are there now.

Once again I say barring no surprises because if there are any surprises that will occur I am sure Councilman Hertzberg would address those issues. But I commend Councilman, I especially commend the residents in the immediate

area for not opposing a worthwhile project and just protecting their own interests and once again the developer has been patient throughout the years dating back to I believe 1988. Thank you.

The Chair:

All of those in favor of the amendment?

Which motion prevailed.

The Chair:

Any other discussion? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1771:

Report of the Committee on Parks,

Recreation and Youth Policy for June 16, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1700:

Resolution providing for an Agreement or Agreements with Brashear Association in the amount of Ten Thousand (\$10,000.00) Dollars for operational/administrative expenses of neighborhood facilities for the benefit of the residents of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Prest)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Ms. McDonald:

Very quickly there will be a post agenda, cable cast at 2 o'clock today. It will be another URA presentation to discuss their financial assistance program as it relates to home mortgages. Please tune in.

The Chair:

Also Thursday evening at 6:00 p.m. in Council chambers Mr. Ferlo you're having a neighborhood meeting. You want to mention that?

Mr. Ferlo:

Well I will mention it very briefly. I am trying to initiate as pursuant to discussion we had at the table several weeks ago more clear citizen input into the annual budget proceedings. Specifically focusing in on issues that every colleague has spoken about and has made amendments about at length over the last three or four years of the Murphy Administration second term.

The idea here is to try to focus in specifically on livability issues at the neighborhood level, departments such as Public Works and BBI, Public Safety and Engineering and Construction and the

constructions needs of our communities.

So the meeting begins at 6 p.m. I have asked six different community leaders from around the city to respond generally to the question of what is the state of our neighborhoods and why do citizens need to be more involved in the annual budget proceedings. I would ask that if any colleague would like to address the group to please be there shortly after six. The agenda will allow obviously time for any colleague to address the citizenry prior to the community representatives speaking. I would invite any of my colleagues to please speak. All colleagues have been very involved in the issues of budget concerns. There is no pride of authorship here. I am just trying to start facilitating the process. Six o'clock here at City Council.

The Chair:

And that will be here at 6 p.m. and I believe it is televised.

Mr. Ferlo:

I didn't make a motion to televise. I didn't know if colleagues -- I didn't know how colleagues felt since it is not a formal, formal meeting. I would like to see it televised. I make a motion to televise it.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

There is a -- I think it touches every one that lives in the city and I think it is very important.

Mr. Ferlo:

Mr. President, on an unrelated issue very quickly. Over four years I have been battling a very large apartment building that has been abandoned as a result of a fire four and a half years ago on Calla Hill Street in Highland Park. The weeds are as tall as I am which isn't that tall but tall enough to warrant a citation from building inspection. More importantly this five half story structure you would have to win the multi state lottery to repair it as a viable housing apartment building any more. Just not the money there to renovate it. It has been condemned obviously but it really needs to be demolished.

I am asking the Murphy Administration to help intervene on this issue and I put a notice out. There are two property owners in dispute. Thank god for lawyers they really complicated this property transaction. I have the RTC, they are a resolution trust corporation fighting with the Mr. Newman who bought it at a sheriff sale. Unfortunately he didn't take the time to know or didn't know when he bought it at a sheriff auction that there was a dispute about proper notification to the deceased husband of someone else who had a second mortgage on it by the name of Holtzapfel (phonetic).

In any event I have all these property people fighting. In the mean time the building deteriorating, it is open it is dangerous, it is unsafe, it's a fire hazard, it needs to come down its out of scale with the community. It is never going to be repaired and I would ask that the Murphy administration please help intervene. I asked the Mayor for one commitment in

his re-election and this happened to be the Calla Hill apartment building. I am hoping he will come through with his commitment.

The building needs to be demolished and hopefully the lot can be subdivided and some single-family construction can take place there. It would be a high quality development, it will be sold at market rates and Fineview is welcome to come over and build the house over there if they want. But if the weeds are not cleared, if the property is not properly boarded up, if the weeds are not cleared, I am giving these two property owners right now five days notice. I will make sure that the weeds get cut and I will personally deliver the weeds and debris to the homes and offices of Lawrence R. Newman and Debra Holtzapfel.

So please if they're having a shindig this weekend, just let them know that I will be there with my pick up truck and they are welcome to call the police. I will go to jail. I don't care. They have been totally irresponsible in this property. It is not fair to the adjoining property owners all of whom have maintained their houses or are fixing them up. They spend a lot of time in their garden it is a beautiful part of the Highland Park neighborhood. I am very upset at the disrespect that these two property owners have shown the adjoining property owners in addition to the fact that it is a very much a dire public safety and fire hazard. We don't need another fire damage. We certainly god forbid should have the loss of any of our public safety personnel.

Mr. Newman and Mrs. Holtzapfel, you better get out and clean the weeds in five days. If not, you are going to see

them on your front lawn in your plush home or in your plush office and anybody knows me knows I am crazy enough that I will deliver the weeds there.

The Chair:

We guarantee it.

Mr. Ricciardi:

Yes before I have a statement regarding BBI, I would just like to say that I don't think it is a question of Mr. Ferlo is crazy enough, I think it is a question that he cares that much about his neighborhood and personal responsibility and I believe he will do that.

Regarding his one commitment that he asked from Mayor Murphy for his re-election, I think that's probably one commitment per street if not per household. I can't picture Councilman Ferlo just asking the Mayor for one commitment.

But it is interesting because I just want to bring up publicly I am very pleased, Mr. O'Connor with Mr. Ron Graziano timely responses to my requests in my offices. I am very pleased with the number of e-mails I have received from him and his follow up work. So thus far I would just like to say that Chief Graziano is doing a very fine job. They have always done a very good job in the past, but I think he has stepped up the responses to our Council Offices and I think I should say that publicly and I hope that continues obviously. Thank you.

Mr. Ferlo:

Ask that the Mayor please swear

the gentleman in officially which he hasn't done yet.

The Chair:

I would certainly second both of those motions. I think it is a great sign that we do have great employees in this city and I hope they continue to promote from within on this or any other divisions that we have. It certainly shows that the job can be done from our own workers.

Mr. Cohen:

If I could just join in on that. Mr. Graziano has been extremely responsive to my office as well. Before he was chief and as acting chief and hopefully now as actual chief. What I also like about him he tells you whether it can be done and he tells you whether it can't be done and there are certain instances where it can't and he's honest with you about that and I appreciate that. I hope he continues the good work even after he gets sworn in.

Mr. Ferlo:

Thank you. Mr. President. Unfortunately one of my colleagues has now left. But I noticed the article in the paper today. I had hoped that the building trades various locals were having an outreach session at the neighborhood level and also to extend their recruitment. I wanted to ask the administration to please communicate to each one of us through you or the Clerk and also to make sure that they please communicate to the community and neighborhood based employment offices and to our offices. If there is anything we can do to help the administration reach out into the community at all levels, all 55 square

miles, we need to do that. I assume that's why the event is now taking place in September as opposed to June.

It is very difficult to get things together in July and August as any planner knows. But to the extent that I think it is unfortunate that the building trades have been characterized as being the bad guys here. I think basically they have been sincere in trying to make an effort with the administration, with the Director Parees in doing some additional outreach. For the last month or so on channel, our city government channel there has been playing a repeat of the convention job fair where a number of the building trade business agents and representatives are up at the podium explaining what the job qualifications and responsibilities are and how to apply. That took place actually several months ago.

Many individuals who might have been eligible did not apply or go to the convention show for a number of reasons and I would urge that they consider having something on a Saturday something at the neighborhood level. But in any event it takes two. I mean people have to make an effort also. I don't think it was fair to characterize the building trades as being (inaudible) or acting inappropriate. I think they are made to put their best foot forward to work with the Mayor and his administration and hopefully this Council and the community groups that we represent to try to increase meaningful resident participation in various job classifications under the umbrella of the building construction trades council.

I think that is the intent of the bill that we have submitted and introduced today by yourself and I am pleased to be a

cosponsor of that bill. But I don't know why we are squaring off. I think we need to work with the building trades and use every opportunity and every offer that they have made to work with them to try to improve the quality of life for the residents that we represent. I am disappointed in the characterization in the Post Gazette. The Post Gazette doesn't like unions any ways so anytime the Post Gazette has a chance to beat up on the unions they will certainly provide any colleague an ample forum.

The Chair:

With the bill we introduced today, I believe this week or the beginning of next week we will have a post agenda. Bring not only the trade unions but the master builders association together and see where we move from here and just get it all out on the table. I understand there are a lot of good things happening, but I think it behooves all of us to work together.

I want to try to get especially Mr. Udin and everyone involved that we can be at the table together and get this thing moving in the right direction. Because right now I don't feel comfortable with the way from reading what you just said in the paper. It is certainly going to divide us if we don't pull it all back together.

Anything else? Any other resolution? Hearing none, I would like approval of the minutes.

MR. HERTZBERG moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. COHEN seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill No. 1561, can be found in the Standing Committee Meeting minutes of June 16, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

June 29, 1999

No. 26

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, June 29, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

Today we have a very special guest, Kara Hertzberg, daughter of Councilman Alan Hertzberg. She's ten years old in the fifth grade at Elizabeth Seton Elementary School.

You want to lead us in the pledge.

Kara Hertzberg:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

We have many special guests in the audience.

PRESENTATIONS

Mr. Hertzberg:

The delegation from Chatham Village come forward. Chatham Village is a cooperative residential community in Mount Washington, Duquesne Heights, part of Council District Two and they have received a very high honor from the United States government in the recent past. Chatham Village was named to the national register of historical places and on July 4th there is going to be a special ceremony to honor Chatham Village. Let me read the proclamation.

MR. HERTZBERG PRESENTS:

No. 1772 WHEREAS, Chatham Village is a cooperative residential community in the Mt. Washington Section of the City of Pittsburgh and has received the prestigious honor of being named to the National Register of Historic Places; and

WHEREAS, Chatham Village lies within the "Penn's Woods" tract of land granted to William Penn by King Charles II of England in 1681, the land and much of the surrounding area was later purchased by Major Abraham Kirkpatrick, a Revolutionary War officer and Pittsburgh alderman, from the Penn heirs; and

WHEREAS, the Major's granddaughter Maria Louisa Bigham, eventually was bequeathed a section of the hilltop property including the Village acreage, where she and her husband Thomas crowned the wooded rise with a spacious home in 1843-44; and

WHEREAS, the mansion and surrounding property, now known as Chatham Village, were retained by the Bigham family until 1931, when Pittsburgh's Buhl Foundation purchased the holdings as an experiment to provide a high density community of quality housing with a desirable life style and provided a reasonable return to the Foundation; and

WHEREAS, Chatham Village was originally the inspiration of Dr. Charles F. Lewis, the first director of the Buhl Foundation, who consulted with America's preeminent community planning team of Clarence Stein and Henry Wright, with the architects for the final work being Charles T. Ingham and William Boyd, along with landscape architects Ralph E. Griswold and Theodore M. Kohankie; and

WHEREAS, the Village consists of 216 residences; the first 129 units were begun in 1932 and an additional 68 units opened in 1936 with the final stage being a

three-story apartment building with 19 apartments which opened in 1956; and

WHEREAS, the grounds surrounding the Village provide tennis courts, basketball courts, a picnic area, a ballfield, playgrounds for the children and approximately two miles of winding trails through 25 acres of woods, untouched since the days when the tract was owned by William Penn; also the Bigham Mansion, known today as Chatham Hall, was remodeled and turned over to the Village residents to be used as a clubhouse; and

WHEREAS, the Buhl Foundation, concluding that its experiment had succeeded, sold Chatham Village in 1960 to its residents who had formed a cooperative; and

WHEREAS, Chatham Village was named to the National Register of Historic Places on November 25, 1998 by the United States Department of the Interior National Parks Service as one of America's Outstanding examples of Garden City planning and a place of unusual harmony and exceptional integrity.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh City Council declares Sunday, July 4, 1999, "Chatham Village Day" in the City of Pittsburgh and congratulates the residents of the Village for preserving a part of the history of the City.

MR. UDIN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

We have here from the Chatham Village cooperative the President Kirk French and also the Manager Connie Kaiser. This is just a beautiful residential plan it's kind of a hidden jewel kind of thing. It is on the backside of Duquesne Heights and if you have never been through there you would never know it is present. But it is a townhouse cooperative style community with as was mentioned in the proclamation the woods that are there and the trees that have been preserved are enormous. Of course, it took quite a toll when we had a tornado last year we lost some of those big trees.

But it is still the beautiful residential cooperative community that it's been over all the years. As was mentioned, it has been a tremendous success in what the Buhl Foundation sought to do which was to have this kind of urban community a kind of close community where there is great friendliness. I think I won't go on any further and I will leave it to the President Kirk French -- congratulations.

Mr. French:

Thank you for this proclamation. I want to thank Connie for being here today. The residents of Chatham Village are very proud to be part of the City of Pittsburgh. A lot of the residents have been born in Chatham Village. We have several federal judges, Patty Burns was born there. We have a lot of notable Pittsburghers who are proud of their having lived in Chatham Village. I was born there myself, it has been probably 20 years of my adult life in Chatham Village.

As I said the City of Pittsburgh

residents that live there are very proud to be part of the city. Thank you again, Alan.

The Chair:

Will the group from Sheffield, England, please come up? We have a delegation from Sheffield, England and Bob Kerslake is the Chief Executive of City Council so I guess same as I am, we are co-partners here. They were here on a summit over the weekend and I believe very impressed with Pittsburgh. I would like to give them this resolution from all of us. I would like to hear some of your comments of you're doings and how you saw Pittsburgh. Our cities are very, very similar they were steel towns and went through the devastating loss of jobs and are making a come back.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1773 WHEREAS, Sister Cities International is the national membership organization for sister city, county, and state programs in the United States; and,

WHEREAS, Sister Cities International is the official agency which links communities from the United States with communities worldwide; and,

WHEREAS, Sister Cities International represents 1,200 United States cities, counties and states and their 2,100 partner in 125 countries worldwide; and,

WHEREAS, Sister Cities International is the premier citizen diplomacy network in the United States, leading the national movement for global community partnerships and volunteer action; and,

WHEREAS, the Pittsburgh Sister Cities Association held a Sister Cities Summit on June 25th and 26th in order to accomplish its many goals, including creating opportunities for city officials and citizens to experience and explore other cultures through long-term community partnerships; and,

WHEREAS, the following Sister Cities attended:

Bilboa, Spain

Mr. Josu Ortuondo
Mr. Olabarria
Mr. Martinez-Cearra

Charleroi, Belgium

Mr. Bernard Bermils

Moy Valley, Ireland

Mr. Ronan Ryan

Zagreb, Croatia

Mr. Milenko Cvjetko

Omiya, Japan

Mr. Hideki Uchida
Mr. Shinju Miyazawa

Sheffield, United Kingdom

Mr. Bob Kerslake
Mr. Vince Taylor
Dr. Chris Bentley
Mr. Nigel Tomlinson
Ms. Sue Fairest
Mr. John Whitehouse

Ostrava, Czech Republic

Mr. Evzen Tosenovsky
Mr. Petr Vanek

Sophia, Bulgaria

Mr. Ivan Getchev
Wuhan, China

Duan Yaoji
He Qingei
Ji Lei

Pittsburgh Sister Cities and Sister Cities International on an outstanding program and especially NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate recognize our visitors from Sheffield, England; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 1999, "Sister Cities Month" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Bob, I will give you the floor.

Mr. Kerslake:

Thank you very much, President. On behalf of the Sheffield team, we very much would like to thank you for this proclamation which is very gratefully received.

As you just said we have been here for a Sister Cities Conference but we stayed on for a bit longer because there was a lot of things we wanted to see and hear about in Pittsburgh. One of the things we picked up is that people seem to be less comfort about what has been achieved within Pittsburgh then outside. I have to say to you that from our perspective you have a lot to be proud of. A great deal has already been achieved. It does seem to us to be a strong vision and leadership in both the public and private sector. And you do seem to be going places. And we would like to see what we can do to work with you on that.

We have been made very welcome here. It has been a tremendous few days for us with the combination of the ball game last night. We even got one of the balls to prove that we were there. So it was the right result for you as well I gather.

I think what I would say is that Sheffield is a place very similar to Pittsburgh. It's a city of about 530,000 people. It's a steel city, perhaps the oldest steel city and it too suffered grievously during the shake out of the steel industry in the late '70's and 80's. We're also going through this process of finding new industries, new opportunities, new businesses for the city to provide jobs and prosperity. We have also had to tackle those groups who disadvantaged most from that process of change. So there is a lot to learn between us.

We think there is a lot of mutual benefit between Pittsburgh and Sheffield and we certainly don't see this visit as being the last part of that process. It's the beginning of a process. We do see

business to business connections, connections between our universities and between our governments and we do very much look forward to working with you. Thank you again.

The Chair:

We have two to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1774 WHEREAS, on Wednesday, June 30, 1999 Tom Jones, will officially retire as Executive Director of the West End-Elliott Joint Project, Inc.; and

WHEREAS, Tom Jones has a B. S. Degree in Education from Slippery Rock State College and has taken graduate courses in public and international affairs, housing code enforcement and building planning and specifications; and

WHEREAS, in 1968 Tom became one of the founders and the first Executive Director of Neighborhood Housing Services, Inc., a partnership of residents, financial institutions and local government representatives working in a coordinated effort to preserve neighborhoods; and

WHEREAS, Neighborhood Housing Services, Inc. was one of the most successful private rehabilitation programs in the country; and

WHEREAS, in 1978 after Congress passed the Community Reinvestment Act (CRA), the Federal Home Loan Bank of Pittsburgh recruited Tom as the Community Investment Officer for Neighborhoods in Pennsylvania, West

Virginia and Delaware, as the liaison between local community organizations, local and state government, the Bank and member institutions to promote economically sound community reinvestment programs; and

WHEREAS, in 1990 Tom was hired as the Executive Director of the West End-Elliott Joint Project, and since then the Joint Project has emerged as one of the best managed Community Development Corporations and Neighborhood Employment Centers in Western Pennsylvania; and

WHEREAS Tom has worked tirelessly to improve the West End and Elliott neighborhoods of the City of Pittsburgh, and he has been highly successful finding jobs for unemployed residents in these neighborhoods and in renovation and construction of homes and businesses in these communities; and

WHEREAS, the following West End-Elliott neighborhood developments would not have occurred without Tom: Elliott Heights Senior Residential Housing Facility, Saw Mill Run Flood Control Project, West End-Elliott Overlook Improvement Project, Tranter Square, numerous new business facades and numerous renovated single family homes.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Tom Jones on his many accomplishment and wishes him a long and happy retirement.

BE IT FURTHER RESOLVED, that Tuesday, June 29th is TOM JONES DAY in the City of Pittsburgh.

MS. MCDONALD PRESENTS:

No. 1775 WHEREAS, the Negro Educational Emergency Drive, more commonly known as NEED, will celebrate 36 years of scholarship support to youth in the Pittsburgh area on Wednesday, June 30, 1999, at the Pittsburgh Hilton Hotel; and

WHEREAS, NEED grants provide "last dollar" aid to fill the gap after all federal, state, and institutional aid has been exhausted. Since the program began, NEED has helped 15,500 students continue their education at an institution of higher education; and

WHEREAS, NEED has continued to develop new programs. The latest is the Career School Program. Graduates of these programs are ready to enter the job market for a range of positions that do not require a four-year degree, and account in part for 70% of the new jobs being created.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh congratulates and commends the Negro Educational Emergency Drive, NEED, for expanding their programs to insure each young Black American a chance to further their education.

Also,

No. 1776 WHEREAS, on June 29, 1999, Inez Edith Barnes Hurst will celebrate her 100th Birthday with friends and family; and

WHEREAS, Ms. Hurst was born on June 29, 1899, in Swainsboro, Georgia. She is the oldest child of Julia and John Barnes. Ms. Hurst was educated in the

Public Schools of Dublin, Georgia, later attending Spellman Normal School, in Atlanta; and

WHEREAS, Inez married Thomas J. Hurst, Sr. on January 19, 1919, and to that union they were blessed with 8 children, five girls, and three boys; and

WHEREAS, the Hurst family moved to Pittsburgh in 1955. Inez began working for the late Dr. Lewis Waller until his retirement. A devout Catholic, Inez is a member of St. Charles Lwanga Parish, and attends mass at the Corpus Christi Association. She is an Eucharistic Minister and played an integral part in bringing the practice of Seder supper to the parish; and

WHEREAS, Inez Edith Barnes Hurst boast of her five generations, with 12 grandchildren, 16 great grandchildren, and 2 great-great grandchildren. She still enjoys having family gatherings at her home and the family looks forward to her "famous" 7-up cake.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Mrs. Inez Edith Barnes Hurst on her 100th Birthday.

MR. FERLO moved to adopt the resolutions.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

At this time we will ask if there is

any public comments? Anyone in the audience wishing to address Council please give your name and address for the record. You have three minutes to address Council. Please go to the podium. Thank you.

PUBLIC COMMENTS

Ms. Buck:

My name is Patricia Buck. Some of you know me as the past President of the Fineview Citizens Council when we successfully worked with Mayor Masloff and with Sala Udin and most importantly with Jake Millionnes and the Zoning Board to have single detached houses in the community of Fineview and have the code changed for the entire city.

Last evening at our regular housing meeting in Fineview, I became aware that last week there was a meeting about property on Jay Street that a family out of state by the name of Sells, who I do not know, have come to City Council and requested to have this property. The Jay Street property that the Sells have owned for a period of time is adjacent to a lot that Fineview has planned to put new houses on.

The Sells have had their house for sale repeatedly over the years that I have been in Fineview, more than 15, and have had regular complaints from the neighbors around because of the kind of neighbors and the police activity that has gone in that neighborhood. Am I correct as a citizen of this city that the highest bidder does not necessarily have to have access to the property? That the city code says that the best use should be considered when we are dealing with a property?

To that end I am asking that the vote, the preliminary vote, and I understand there is a final vote. I was actually asked to come down here today when I started to call the City Councilmen's offices this morning. I am asking that this vote be delayed, that it be reconsidered, that it be re-evaluated and that there be a collaboration with whomever from the city and the Sells so that we can resolve this for the best interest of this entire city and certainly of our community.

The volunteers are working very hard in our community and all over the city to make the city a better place. And I am asking that City Council show their appreciation for the thousands of hours that we put into this and that they consider the request my personal request as an active member of this city to think seriously about the sale of this lot.

My understanding is that the Sells are supposed to have put their purpose in writing and to our knowledge they have not done this and if they have no one has brought it to our attention. Our housing meetings and our community meetings are open, always open regularly and very openly advertised. I wish the Sells had come and talked with us before we had gotten to this point.

I ask for your consideration for homeownership. Thank you for allowing me to address the Council.

Mr. Sell:

My name is Jack Sell. I have a prepared speech here but I don't quite know how to respond this morning with all the misstatements I just heard. Ma'am, I

would like to know for the past 15 years I have had this property up for sale, with who? That's news to me and my wife.

The Chair:

You're only addressing Council at this time please.

Mr. Sell:

If I may begin with my prepared speech I guess. We're here again, my wife and I, to beat the same drum about 425 Jay Street in Fineview. We traveled a long way from South Carolina and this is the fifth Council meeting we have attended in an attempt to get the deed to what we regard as our property, legitimately won in a bidding process with the Fineview Citizens Council. So we are anxiously awaiting your vote today.

Our request to purchase this property was approved on February 4th, 1997, prior to that on August 14th, 1996 the URA took this property from the three taxing bodies for quote other public use unquote. We think we have a valid public use in our plans to beautify this property. It has been put in writing with the city Real Estate Department when we submitted our winning bid. That was part of the process to submit in writing exactly what we plan to do with the property. We also feel that by keeping this property a side lot, we will eliminate clutter in the neighborhood and what is already a congested narrow street. So we do have a legitimate public use.

I would like also to make the point that we are not Johnny come lately to this process. The URA, the three taxing bodies, the Solicitors Office have all

known all along that we were objectors to this process. The Citizens Council should have known also. The Real Estate Department knows how to get a hold of us. If they wanted to have a dialogue, why didn't they get a hold of us?

We have learned much about how the city disposes of its property in the last three weeks. For example in the minutes of the March 29th Council Meeting, it was stated that the City of Pittsburgh has 10,000 properties in its inventory. The view was put forth here in the chambers two weeks ago that the best way to get rid of these properties is a negotiated sale to community groups. So that every Tom, Dick and Harry like me doesn't become aware that they are for sale. I have a different point of view.

First of all I am not just anybody, I am an adjacent property owner. The citizens' proposal goes forward I am effected more than anyone in the city. Doesn't someone in my position have a right to know what is going on? Giving everyone the right to bid on these properties is the American way where everyone is treated equally.

I look forward to your vote today and I hope you vote in my favor.

Mrs. Sell:

I wasn't going get up and speak today. Mrs. Buck, glad to meet you and I guess one of your other Fineview friends.

We have owned the property for 20 years on Fineview that my husband is responding about. Since my father-in-law passed away. Mrs. Buck has been there for 15 years, my husband has lived there

for how old are you -- 62. So that property has been in his family at least 62 years. Mrs. Buck referred to a lady I don't know who she is on in the Fineview Citizens or not but this is a Bingo for me and I am going to tell you what folks, we rent section eight. I am speaking with you Mr. Udin, Ms. McDonald she is not here today.

But I knew from the time this was taken off from the three taxing bodies that there was something wrong here in the way that Fineview Citizens Council was getting this property. Because I had already had an altercation with one neighbor who told me to remove those people from my property. Okay? Does that tell you where we are leading to here? We have never been notified in anyway shape or form that anyone else in this neighborhood is opposed to our tenants who live there. We have been told by other people in the neighborhood that they do not want the homes that the Fineview Citizens Council built like the homes that they built ten years ago. Aluminum siding on those homes is already waive, shoddy workmanship and lets face it, one million six hundred thousand dollars plus another hundred fifty thousand to play with. You're doing something very dangerous guys when you're giving a Citizens Council the right to determine who lives in their neighborhood. We don't live in that day and age today.

I want you know that we have rented to anyone across the lines for over 30 years. Regardless of what a neighbor has said, I understand where these people come from when someone walks up to me and says to me did you rent to those people? We don't do that here. I have said enough. Thanks.

Ms. Brown:

Yvonne F. Brown. I live at 2633 Brackenridge Street and that's right in the Hill District. I think she spoke very eloquently because a lot of times when people find out that the people are in section eight the first thing they do is they say they have no business being there.

I came today as a parent and a grandparent of children that attend the Pittsburgh Public School system. I was saddened to receive news that Clarence Williams he was a security guard with the Pittsburgh Public Schools system he passed away June 21, 1999. His going away celebration was held on June 23rd of this year. He had worked with the Pittsburgh Public School system since 1974. I was made aware too late to attend the celebration. Oh how I wish I could have for his remaining family, friends and the children of the Pittsburgh Public School system to be able to express my feelings as a parent of two daughters that attend Oliver High School, which is part of the public school system.

I know how this man had a good rapport with our children. I give him the honor and the praise. I wrote a small poem just so that the children and the parents of the Pittsburgh Public Schools could realize how we felt about him.

Mr. Clarence Williams, I never met you, but I believe the many good things I heard are true. I was told you were a man of integrity. I know many times on the job and in your life you had to use your humility just to be able to deal with all the negativity. Many of your co-workers spoke of you so highly.

But Clearance you have not seen or truly may not believe you made it a positive difference. I know about how many lives you -- I think about how many lives you touched in such a positive way for many of our young men and women and ladies of today.

God is good as I must say because I believe you did it your way. Rest in peace my brother no longer are you hurting. We will no longer have to witness your pain with left us on earth feeling so small and seeing nothing to gain.

You helped to shape the future. I wish you only knew how many you helped to stand up for each other and give respect each to each of us that is due. Many in the community didn't have a clue that you respected all the respect I was told most children always showed you. Those have said that children loved you and many of the children said that you were true, respectful and fair.

For those that will always care young people are our future and you were leading them there by telling them to act like a man or women at all times when many things may not always be fair because being mean and nasty will get you no where.

Oh what are the children and community going to go do without you, Clarence, you were the best. So now my friend and brother you can now rest.

Mr. Williams, we love you and miss you but God loved you best because you can now rest. Thank you.

Ms. Cain:

My name is Candace Cain and I am the President of the Fineview Citizens Council.

I ask that this City Council not be scared by the Sells argument to you. The facts are this, the Fineview Citizens Council markets our houses to everyone. We encourage everyone to move into Fineview. We have a diverse community. In particular, we have a housing development in Fineview, public housing development in Fineview and for our new development we actively go to the public housing development to recruit homeowners into Fineview.

I am offended by the Sells implication in their argument and I ask Council to disregard it. Fineview celebrates diversity. We want everyone to live in Fineview. We actively recruit in particular low-income people. Thank you.

The Chair:

Thank you. Anyone else wish to address Council? Hearing none move to presentation of papers.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 1777 Resolution providing for a Grant Contract with the Pennsylvania Department of Conservation and Natural Resources in connection with the addition/improvements to McBride Pool, Phillips Park Spray Pool, Homewood Senior Center and the Sheraden Playground. The grant of \$250,000.00 will cover 50% of the estimated construction of \$500,000.00.

No. 1778 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the installation of water service at the Police Memorial located on the North Shore; at a cost not to exceed \$31,500.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. ONORATO PRESENTED:

No. 1779 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "O", in the Homewood South/North Point Breeze area (Council District #9) pursuant to Pittsburgh Code Chapter 549.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1780 An Ordinance amending the Pittsburgh Code, Title I--Administrative, Chapter 161--Contracts, adding Section 161.33--Pittsburgh Employment Opportunities and Living Wage, requiring employers who receive city assistance to sign an employment agreement and pay employees a minimum living wage, creating the City Assistance Advisory Committee, providing for enforcement, due process, and penalties for violations. --(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of

the bill only until or after the 8th day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1781 Resolution authorizing the City of Pittsburgh to enter into a professional services contract with R.W. Beck, Inc. for the purpose of providing general competitiveness consulting services for solid waste collection and potentially other City services, cost not to exceed \$200,000.00.

No. 1782 Resolution providing that the City of Pittsburgh enter into a professional services contract with McCrory & McDowell LLC, Certified Public Accountants Consultants for the purpose of auditing the claim management functions of the City's Workers' Compensation Third Party administrator. Cost not to exceed \$25,000.00.

No. 1783 Communication from Mayor, Tom Murphy, requesting permission for Ms. Stephanie Cook, a non-city employee, to travel to Houston, Texas to participate in the Weed and Seed National Conference from July 31-August 4, 1999. Total cost not to exceed \$850.00.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1784 Petition from the residents of the City of Pittsburgh requesting a public hearing into the actions of Chief Fadzen, head of security for the Board of Public Education.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Referred to committee. We will set a date for the hearing.

Mr. Ferlo:

Point of order. Can we get a legal ruling as to whether or not we have to conduct a public hearing? It is a personnel matter involving the school boards and City of Pittsburgh. I don't understand why we would legally be obligated to have a formal public hearing on this issue.

The Chair:

Request for legal opinion.

MR. HERTZBERG seconded the motion.

Mr. Ferlo:

I will not be attending the public hearing. It's an internal matter of the School Board. I would hope the residents would take the issue up with the School Board.

Mr. Ricciardi:

I was going to say, Mr. President, also and I think Mr. Ferlo just touched upon that. I think as a courtesy too though if the City Clerk's Office can draft a letter

to each person who petitioned us and signed that. Maybe inform them that not only is it a School Board matter but when their hearings are, the date, the time, and the location and phone numbers for the appropriate people.

Many people who signed that petition might actually believe that they're having a hearing, that we actually affect the decision of the School Board. They should realize the School Board also has meetings. I believe they have citizen participation. So as a courtesy I think we should send them all a letter if there is no objection by the City Clerk.

The Chair:

I agree. It is a personnel matter we should get a legal opinion whether we should have this hearing or not.

Any unfinished business to come in front of Council? Hearing none move to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1785:

Report of the Committee on Finance and Budget for June 23, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

Bill No. 1430:

Resolution providing for conveyance by the City of Pittsburgh of

certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Onorato:

I am sorry, which bill is it?

The Chair:

Number 1430 we had a negative recommendation.

City Clerk:

Darla A. Tucker Watson Boulevard.

Mr. Ferlo:

A no vote would direct the property to the URA?

Mr. Onorato:

It would reject it and then real estate would then send legislation directed sale so URA.

Mr. Ferlo:

Well are we still in agreement on what the discussion and votes were this past week?

Mr. Onorato:

On this bill?

Mr. Ferlo:

On all the bills.

The Chair:

We took them separate. One is being held, one is a negative recommendation --

Mr. Onorato:

Well on Lockhart, executive session tomorrow morning.

Mr. Ferlo:

I understand, but on Jay Street are we going to conclude now today and have these bills be --

Mr. Onorato:

I am prepared to vote on Jay Street today. However, I am going to have some comments and I have some concerns about information I found out since Wednesday. I will bring it up. However, you want to handle it is fine with me.

The Chair:

Vote now is on 1430. Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Ferlo

NOES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES One **NOES** Six

Bill having not received the legally required number of votes is defeated.

The Chair:

Read the other bills.

Also, with an affirmative recommendation.

Bill No. 1701:

Resolution providing for the issuance of a \$7,744.48 warrant in favor of John T. Barleman, 323 Pinecastle Avenue, Pittsburgh, PA 15234, in settlement of a claim in which water run off from improper street resurfacing and lack of catch basins caused property damage.

Which was read.

Also,

Bill No. 1702:

Resolution providing for the issuance of a \$8,400.45 warrant in favor of Carole J. Carter, 329 Pinecastle Avenue, Pittsburgh, PA 15234-2955, in settlement of a claim in which water run off from improper street resurfacing and lack of catch basins caused property damage.

Which was read.

Also,

Bill No. 1703:

Resolution providing for the issuance of a \$5,085.00 warrant in favor of Mario & Carolyn Fratto, 865 Grand Avenue, Pittsburgh, PA 15212, in settlement of a claim in which claimants' vehicle was damaged by a City Street Sweeper on April 6, 1999.

Which was read.

Also,

Bill No. 1704:

Resolution providing for the issuance of a \$8,404.13 warrant in favor of Deborah Stoyanoff of 1718 Crosby Avenue, Pittsburgh, PA 15216, in settlement of a claim in which claimant's sewer backed up causing damage to her basement on December 31, 1998.

Which was read.

Also,

Bill No. 1761:

Resolution transferring the amount of two thousand dollars (\$2,000) from the City Clerk's Office, Miscellaneous Services, Sub Class 150, Account 525500, Org. 101200, Fund 1000, Budget Year 1999, to the Korean War Veterans Memorial, Sub Class 300, Account 593100, Org. 500000, Fund 1000, Budget Year 1999, Department of Parks and Recreation. (SPONSORED BY MR. ONORATO).

Which was read.

Also,

Bill No. 1464:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984. — (SPONSORED BY MR. ONORATO).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

Mr. President, I am going to make a motion to recommit Bill 1464. Motion to recommit for purposes of discussion right now.

Mr. Ferlo:

Discussion. I am sorry, what's the motion?

Mr. Onorato:

Motion to recommit. I want to explain it after I get a second.

Mr. Ferlo:

Absolutely not. This is getting to be ridiculous.

Mr. Onorato:

Mr. Ferlo can do what he wants, that's his business and he can tell them to sue and how to sue and I will get them an attorney. But I am going to explain what I

found out since Wednesday. I apologize to my colleague --

Mr. Ferlo:

Point of order.

Mr. Onorato:

Chairman, do I have the floor or don't I have the floor?

Mr. Ferlo:

Bills were read and we are voting on the bills now.

Mr. Onorato:

Call the vote.

Discussion on Bill 1464. I remove my motion to recommit call the vote.

The Chair:

Discussion on Bill 1464?

Mr. Onorato:

Mr. Chairman, I want to clarify some of the rhetoric that was here today on both sides. I did some research. I did some research on the Sells as landlord's and I am here to report that under the section eight program they have been regarded as very good landlord's. This is from our own Pittsburgh Housing Authority and they have two properties and they have done a very good job to date.

So I want to make that record clear. I also want to point from the Fineview Citizens Corporation that they have been very, very good in promoting and

developing their neighborhood. Also and any comments or suggestions of racial overtone I resent because the individuals I deal with up there which is a multi racial group, they do everything to promote harmony. So I want to clear both sides of those issues and get them off the floor now. Because that is, they're just red heron's both sides seem to be legit here.

But I did call the URA just to find out exactly what was the plan for Fineview Crest Two and my colleagues there was a Fineview Crest One that was developed about seven years ago, my first year on Council. I actually went up there with Councilman Jake Millionnes when they opened Fineview Crest One which consisted of twelve brand new town homes on old properties that were over to the CDC up there and then sold to private owners. I looked at what was sold. I am happy to report that all 12 of Fineview Crest One were sold immediately. Anyone think there is a racial problem up there, six of them were sold to white individuals and six of them were sold to African American individuals and all the original owners still live in Fineview Crest One. There has been no turnover to date. It has been very successful the program and they are all back on the tax rolls, they are six or seven year old property so something is working up there.

Fineview Crest Two is an additional 12 brand new town homes on the drawing boards. Talking with officials at the URA today, particularly Dennis Davin he did confirm to me that Fineview Crest Two was approved for funding for all 12 properties even though the property was not under site control as of this date. So what we're faced with individually all of us is and I can respect anyone's opinion

on this because this is a tough call here, but what you're faced with is here two proposals in front of you. You have a good landlord out there. Mr. and Mrs. Sell have owned the property as you have heard for over 60 years in the area. They're out of town and they have rental property and they want the side yard for yard use, that's my understanding talking with the Sells a few weeks ago.

And you have Fineview Crest Two proposal to do 12 new town homes and this particular property would have two of the 12. There is a track record that we can look at that has been very successful to date. And there is funding in place to build these twelve. So this isn't a wishful thinking plan. That's what is in front of us to date. And that's what we are evaluating all three of these properties.

I have been struggling with this to try to find out what it is the right thing to do, what is the higher and better use for this city and where do we go from here. Last week we talked about all three, I thought we were going to move on two and reject two and move on one, we ended up moving on one, rejecting one and holding one. And I still think Lockhart is out there yet. That is in Executive Session tomorrow how we handle that, but it is the same issues that we are evaluating on each one.

I personally today and my colleagues I am telling my view today on this is that I am going to stay consistent on all three. I am going to evaluate the plans and on this one here and I say to Mr. and Mrs. Sell, and I am glad they are here in the audience. Thank you for being a good landlord, but a side yard program to leave as a yard versus continuing new housing

which we have done everywhere with the URA depending on the small or big properties where the government moves in for development purposes and that I think that Fineview Crest Two warrants our support here.

I would love to see 12 new town homes with owner occupied individuals versus a lot in these two town home proposals in this particular area. I don't think that is a wrong or a bad decision. I want these comments on the record because no matter what happens there will be a lawsuit involved like there always is. I want when some juror or court reviewing this to know that this particular Councilman is evaluating the two plans in front of us and the plans are very clear. You got a side yard proposal or you have a two town home part of a 12 town home development, owner occupied.

I am going to support the 12 units, Fineview Crest Two, on the track record. I want everyone to know where I stand on that. I want the people in my district and the city to know where I stand on that. And of course I want the judiciary to know where I stand on that. I know I have some disagreements here with my colleagues and that is fine. But I think it is a legitimate review process that this Council is allowed to go through.

We supported and we rejected sales over and over again. Every Wednesday we evaluate them and based on what I know, with the backing of the URA and the funding in place to do the 12 town homes with a successful completion of Fineview Crest One, with 12 new owner occupied, I think this is a legitimate higher and better use for this property. Therefore today I am going to vote no on 1464 and

hope this development gets moved forward through the URA.

Mr. Ferlo:

Yes I resent any notion that my in favor of Bill 1464 to consummate an effort by the property owners who have owned and managed this property for many decades attempting to buy a side lot, who went through a highest competitive bid process after effective notification to a community group and other interested parties, I resent the notion that if I vote in favor of this some how I am opposed to any good work that a community development group has done whether it is Fineview Crest One, Two or Three. I don't see the dichotomy.

I am for quality housing on the part of community development groups to build such housing. I think there is countless examples of quality development that has been done by neighborhood based organizations throughout this city. I do have a concern and I think it is a growing policy concern. I think our public dollars and the URA dollars and the efforts of community development groups should be focused in as the developer of last resort to deal with the most problem properties, the most problemsome and dilapidated structures where there is not a private market place to intervene. Where there is private dollars especially dollars that come from the hard work and sweat of people that have been nothing but good property owners in the city for decades and decades. Now to get the shaft by this Council to me is a travesty of justice. I think is inappropriate morally and as far as I am concerned illegal based on competitive bid process.

So I think we should proceed with 1464. There was notification made and for whatever reasons there was not a directed sale. I do agree with the letter received from the neighborhood group here today addressed to me. I assume it was also addressed to other colleagues from Fineview Citizens Council. The second to the last paragraph that I hope this debacle that we have held these bills to the last four or five meetings, three bills including the Lockhart Street and the Jay Street and another street on Watson Boulevard. I hope it does cause us to re-evaluate the what that our bill of particulars are regarding our disposition of properties. I think that's a legitimate paragraph, but I think points one through four that they make is legitimate. But I also think my point about what is the targeted dollars that we have and when is it appropriate to have our private public dollars competing with the sincere honest private dollars of property owners that have nothing but good taxpayers and tenant's and property managers in the City of Pittsburgh.

I mean we should use our public dollars to intervene where there is not development and where we are trying to make some quality development or deal with dilapidated structures. I don't think we should be competing with private dollars or private dollars are out there to renovate a building. I had this enormous Calla Hill Apartment Building in Highland Park that's being toured today and my goal is to try to get it demolished and knocked down and hope that some signal family detached home owner occupied housing would be built. It is an enormous building. The private sector is not going to respond, it will take a couple of million dollars to renovate it, it is just not going to happen. I have been encouraging the Highland Park

Community Development Corporation to intervene and provide some leadership and be the developer of last resort on this property, because there is not going to be a private market place interested in this site. That's not the case here and I think that is another valid issue we should talk about.

So I just think it's been treating these folks very unfairly. The notion that we're consummating the sale today at least on my part should not be viewed as any way derogatory to the efforts of the Fineview group to turn the neighborhood around and make quality investment in Fineview Crest One, Two or Three.

The Chair:

If there is no other discussion, I have a lot of questions. I don't know if you want to recommit or not. I am curious -- one of my questions is, isn't there any other compromise where they can build ten homes is good, 12 is better. Can they go another direction? Can they take part of the property? Can they exchange give this gentleman some other property in the back in exchange and still make the project work? I haven't physically seen the property.

I didn't realize it was getting to be this major of a deal. Certainly Mr. Onorato has a good point. If you can build two new homes and put two families in as opposed to just a side yard that not only makes business sense but there is common sense. The other question I have and we do have a meeting tomorrow, Executive Session. What are the legal ramifications here? Can this person can it be justified or are we going to tie this up in court forever? I don't think the Fineview people would want that either.

So I am going to hold it one more week. We have held it five weeks already. I don't feel comfortable voting to be honest with you right now. I don't speak for everyone here but I would like to hear even if we have to go see it, and with Mr. Onorato's leadership again getting the two sides together. Maybe it can be a satisfactory compromise made here because they both are very good concepts and I don't think anybody has -- it's tough to point. I don't think it is fair to put us in this situation. We shouldn't have been put in this situation to begin with.

Mr. Ferlo:

It should have been a directed sale years ago. These poor folks have been waiting for five years to try to buy a side lot next door to their prime property. What is so terrible about that?

The Chair:

Again, it looks like there are two rights here and we are put in the middle of it. Mr. Onorato what --

Mr. Ferlo:

So there is no other property that needs to be developed in these communities that the community groups shouldn't address itself to.

The Chair:

Again, I agree with you. Can't if the two new homes can they be built behind, on the other side across the street maybe they can build four more. Again that's why I don't know why those compromises haven't been be able to be

made. Here we are at the last hour again.
Mr. Onorato, what is your pleasure?

Mr. Onorato:

It is up to the body. I originally was going to do it for recommitment but if they want to call the vote today that is fine too.

The Chair:

We have an Executive Session tomorrow. We could go over the legal questions and try to give you another week to work this out. I would like to see a recommitment to be honest with you.

Mr. Onorato:

I will make the motion again to recommit and we can review it tomorrow in Executive Session, that is fine.

MR. COHEN seconded the motion.

Mr. Onorato:

This one and on the Lockhart property I think we have to vote on tomorrow. We have to get these things voted on one way or the other.

The Chair:

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Onorato

Mr. Hertzberg
Mr. O'Connor
(Pres't)

NOES:

Mr. Diven Mr. Ferlo
Mr. Ricciardi

AYES Four NOES Three

The Chair:

Vote fails. We are voting now on -- how many bills do we have?

Mr. Ricciardi:

Mr. President, if I could just.

The Chair:

How many bills do we have? 1430 is already voted on. We have six in front of us including 1464.

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Ricciardi
 Mr. O'Connor
 (Pres't)

(Mr. Hertzberg and Mr. Onorato voted no on bill 1464)

Mr. Ferlo:

I would like to change my vote earlier on that other real estate bill and vote aye, since nobody wants to maintain some integrity around here.

The Chair:

Is that on 1430?

Mr. Ferlo:

Whatever the other property disposition bill is, aye.

Mr. Ricciardi:

Which vote did Mr. Ferlo just change?

Mr. Ferlo:

Watson Boulevard.

The Chair:

It's still defeated.

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1786:

Report of the Committee on Public Works, water and Environmental services, for June 23, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1571:

Resolution Authorizing and directing the Mayor, the Department of Public Works and the Department of Finance to conduct a study of all unimproved rights-of-way, better known

as "paper streets" in the City of Pittsburgh and to report back to Council within 180 days of the effective date of this legislation. The study shall include the location, condition, use (if any), and estimated cost to open and/or maintain these rights of way. —(SPONSORED BY **MR. RICCIARDI**)

Which was read.

Also,

Bill No. 1722:

Resolution amending Resolution 75 of 1999, effective March 03, 1999, providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, at a cost not to exceed \$450,000.00.

Which was read.

Also,

Bill No. 1723:

Resolution providing for a Contract or Contracts, or the use of existing Contracts and/or an Agreement or Agreements, or use of existing agreements, and for the purchase of materials, equipment and supplies in connection with the Graffiti Removal Program at various locations throughout the City, at a cost not to exceed \$45,000.00.

Which was read.

Also,

Bill No. 1724:

Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of equipment for the Department of Public Works, payable from Account 542100, Fund 1000, Org. 420000, Sub 120, Budget Year 1999, Specialized Landscape, Department of Public Works, at a cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 1725:

Resolution providing for a Contract to be bid, for the purchase of a Weight Mate 2000 Truckload Out and Management System, in connection with the Street Resurfacing Program at the Public Works Asphalt Plant, at a cost not to exceed \$20,000.00.

Which was read.

Also,

Bill No. 1726:

Resolution repealing resolution No. 93 approved March 10, 1998, entitled "Granting unto The Buncher Company of 5600 Forward Avenue, Pittsburgh, PA 15217, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman Street, extending to 14th Street, 2nd Ward, 6th Council District of the City of Pittsburgh," and granting

unto the Buncher Company an easement in accordance with the attached Easement Agreement.

Which was read.

Also,

Bill No. 1727:

Resolution granting unto Alain Pizzutti, Le Perroquet, 709 Bellefonte Street, Pittsburgh, Pennsylvania 15232, the privilege and license to construct, maintain and use at his own cost and expense, a sidewalk café and planter on the sidewalk area of 709 Bellefonte Street, in the 7th Ward, 8th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1728:

Resolution granting unto Ironworkers Local No.3, 2201 Liberty Avenue, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a historical marker on a portion of the sidewalk area of Grant Street, in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1729:

Resolution granting unto Allegheny University Hospital, Allegheny General, 320 East North Avenue,

Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a pneumatic tube conveyance system, fiber optic cable and electrical conduit and manholes for access on a portion of the right-of-way of Hemlock Street, in the 22nd Ward, 1st Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1730:

Resolution vacating portions of Dalemout Street in the 20th Ward, 4th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1751:

Resolution providing for an Agreement or Agreements with Gildas A. Kaib, Jr., his successors and assigns for utility easements and an easement for ingress, egress and regress in and over a vacated portion of Vinecliff Street in the 18th Ward (Council Districts 2 and 3).
(SPONSORED BY MR. HERTZBERG).

Which was read.

Also,

Bill No. 1752:

Resolution providing for an Agreement with Gildas A. Kaib, Jr., his successors and assigns for an easement for ingress, egress and regress over property

owned by the City in the 18th Ward designated as Block and Lot 4-G-249, 35 Vinecliff (Council Districts 2 and 3).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Bill number 1571 regarding paper streets, and asking for a study to be conducted by the Department of Public Works, the Mayor and Department of Finance, its Mr. Ricciardi's bill. I want to compliment him on his work on paper streets.

I think this is a problem that members of Council hear about on a very regular basis where people have a paper street that they consider part of their property. They really don't own it, it is not maintained and there are continually problems with paper streets. I appreciate Mr. Ricciardi taking the initiative and I would like to have my comments brought forward from the meeting.

(See Addendum for comments.)

Mr. Ricciardi:

I just want to thank Councilman Hertzberg. He's already contributed greatly to this legislation. Because as he pointed out during the committee session that the Department of Public Works slash the administration has one policy that fits all. And I wasn't even aware that we have different definitions and maybe even

concepts of paper streets so maybe we should have one or more -- more than one policy. So already I think he's contributed greatly to this. Hopefully we will get the Department of Public Works to take their time on this and report their findings back to us within a reasonable amount of time. Thank you.

The Chair:

Any more discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1787:

Report of the Committee on Housing, Economic Development and Promotion for June 23, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No 1053:

Resolution adopting amendment No. 2 to the Center Triangle Tax Incremental Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh, and making certain findings. (PRESENTED BY MR. RICCIARDI). (HEARING HELD JANUARY 20, 1999).---(HEARING HELD JUNE 3, 1999)

Which was read.

Also,

Bill No. 1054:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the Financing, Monitoring, Implementing and Terminating of the Center Triangle Tax Incremental Financing District as Amended by Amendment No. 2. (PRESENTED BY MR. RICCIARDI). (HEARING HELD JANUARY 20, 1999).---(HEARING HELD JUNE 3, 1999).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Yes thank you. Were bills 1053 and 1054 read? Colleagues, I have had an opportunity to speak to our representative on the URA, Mr. Hertzberg and he does not believe if I make a motion to recommit these bills that it would jeopardize the projects.

Mr. O'Connor, as you know we have some very important pieces of legislation that needs to be intelligently discussed tomorrow. One is post construction work brought forward by Ms. McDonald and the other bill that I waived Rule 8 on as presented in 1997. It was a very important caveat in the living wage bill and that was also employment agreements with beneficiaries and those that would receive city assistance. So I think it would be very a great symbol and also a good tactic on our part if we would recommit these bills, giving us an opportunity to have all of those involved and interested in these particular TIF's, Mr. Tom Cox and Mr. Mulu Birru to come forward. This way we could have everyone at the table at one time. Motion to recommit.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Are there any other bills?

MR. FERLO PRESENTED:

Bill No. 1788:

Report of the Committee on Engineering and Construction for June 23, 1999 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1720:

Resolution amending resolution No. 282, effective May 19, 1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts for the purchase and installation of new traffic and streetlight poles and fixtures at Seventh Street and Penn Avenue; at a cost not to exceed \$40,000.00," by providing for a Reimbursement Agreement with the Pittsburgh Cultural Trust.

Which was read.

Also,

Bill No. 1721:

Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with various City projects; at a cost not to exceed \$150,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

I would like to move to telecast today's post agenda.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Mr. President. Today on a few of the radio shows there has a number that's been released by PennDot. It's 1-800-FIX-ROAD, once again it is 1-800-FIX-ROAD. I have dialed this number over 20 times today, the line is constantly busy. I am not sure if it is because the PennDot managers who are answering the phones have just taken the phone off the hook, or if there is that many individuals in the City of Pittsburgh and Allegheny County need to be called in. But I urge those that are listening today to dial 1-800-FIX-ROAD.

I have several complaints regarding Carson Street, East Carson Street especially where the buses pull in and out. Mr. Hertzberg has really done due diligence and worked very hard on hopefully PennDot will take responsibility for the curbing on West Carson Street. I am aware of Mr. Hertzberg if I am not mistaken had many, many meetings and there is I guess a discrepancy on who owns the curb. Well I will tell you who owns the curb, they own the roadway. If they own the roadway, they should fix those curbs. I just wish that if PennDot was sincere giving out this number 1-800-FIX-ROAD, they would realize that they would need more than one line and one call waiting. They should have dozens of lines if not hundreds or thousands of lines.

I think PennDot leads a lot to be desired. I hope this information gets back to one of the supervisors or managers. I think their PR is excellent, they're very articulate, they do a very fine job on radio, but when it comes to results, it is pathetic. So, once again I hope they look into the curbing on West Carson Street and the railings on West Carson Street.

I am going to take a page out of Mr. Ferlo's book but I invite all the media to go out to West Carson Street before it enters Esplen and McKees Rocks. Look at the disgrace that has been there for years and matter of fact just go down to the Smithfield Street Bridge and look at that curbing and look at the roadway. 1-800-FIX-ROAD, it is not going to make it because first of all you can't even get through. It's a pity. I hope the media goes back and they use their cellular phones and if they get through please put in my request. Thank you.

Mr. Hertzberg:

Same subject. I think 1-800-FIX-ROAD is probably going to be limited to road when it comes to West Carson. PennDot has unfortunately consistently maintained the position that they are only responsible for the portion that runs from curb to curb which is exactly the road no more no less.

In fact, we have been doing a study on West Carson Street to of course address some of those problems. When PennDot was asked to contribute and it is a consultant study that includes landscape, architects, transportation specialists, a number of professionals to look at what the best thing to do with this road is. When we asked PennDot to chip in a little bit of money to help out with the study, they did not chip in a cent and it ended up being borne entirely by the City of Pittsburgh even though the road itself is a state road. But we should have a final study completed I would say any day now.

I know we have had a lot of meetings with the community, a lot of discussions with the consultants, and the final study should be done soon. I hope maybe at that point we can convince PennDot to step forward and help us out financially with this road. It's a two or three mile stretch of road that with our city budget and our capital bond and the amount that we're able to put out, it is just a major thing for us to be able to rehabilitate the sidewalks, the ornamental railing, the curbs on a couple miles of roads that are actually state road.

The Chair:

On the same subject, I was approached twice over the weekend people

brought out of town visitors and were complaining about the how dirty this city was. Actually they're they emphasized a lot of the ramps coming onto the parkways, near the different whether it be on the North Side. Actually they mentioned quite a few.

I am curious why PennDot doesn't do a better job cleaning? I think they do one clean up. It is the only time I see on the parkway, they have the machines and the equipment. I believe it is a shame that they don't live up to their end of the bargain as far as cleaning the ramps and all the main entrances to our city. We can do all the cleaning we want downtown, and in our neighborhoods, but if they are not doing the ramps, it certainly doesn't help.

I was curious if there is a way to let our State Legislators and State Senators. No one ever thinks of calling them our good friends. I would like to say, if you have an idea somehow we can approach them, so that they would put more pressure I think on Penn Dot and they all represent districts like we do. But I don't believe they get the pressure that we hear or the problems we hear about the sanitation and the roads being fixed that aren't really our responsibility. No one wants to hear that it is not our responsibility. I think they believe Council can do everything. Unfortunately we try but we cannot do it all.

I believe if they would put a little more pressure onto the state people, our representatives in Harrisburg would pressure them a little more to fix and clean these roads we could get a lot more done.

Anything else? Any other comments? We do have right now on our

meeting today will be concerning Pittsburgh Works and our legislation with the trades union, master builders will be there, Jacqueline Morrow from City Solicitors Office, Tom Cox and also our City Controller, Tom Flaherty, will be there too concerning our bill that we put in last week.

Also tomorrow we have an Executive Session on 1765 Warrant Street and also a public hearing tomorrow afternoon at two o'clock concerning the new Rite Aid I think at Forbes and Murray Avenue.

I would like to excuse the absent member. Valerie McDonald is away on vacation with her family.

MR. HERTZBERG moved to excuse the absent member.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr.

Onorato, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill 1571 can be found in the Standing Committee Meeting minutes of June 23, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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July 6, 1999

No. 27

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, July 6, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

Thank you. We will move to read and adopteds.

PRESENTATIONS

Will the members of Kerotest please come up. Good morning. We have Bernie Hilderman is the Vice President of Kerotest, Beverly Burry and Rita Patchey.

Kerotest is I am actually honored to have in my district and I believe we opened it what day? About four or five years ago I guess.

Mr. Hilderman:

Four years ago.

The Chair:

Four years ago and it really is an outstanding plant. In the resolution I think you will hear why we are so excited about having Kerotest not only in Hazelwood but in Pittsburgh.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1809 WHEREAS, Kerotest Manufacturing Corp. is a leading producer of metal and plastic valves (and related equipment) for the natural gas industry; and,

WHEREAS, Kerotest was incorporated in 1909 as Pittsburgh Reinforced Brazing & Machine Company that pioneered product development and

testing, including testing of high-pressure valves with kerosene; and,

WHEREAS, Kerotest, meaning Kerosene-Tested was adopted as the new company name in 1927 and became an employee owned company with the development of an employee-owned company with the development of an Employee Stock Ownership Plan or ESOP in 1983 and further enhanced this commitment with the adoption of the Total Quality Management practice in 1991; and,

WHEREAS, in 1995, the company relocated to a \$7 million state-of-the-art manufacturing facility that also includes its product development, engineering and customer service operations and an additional manufacturing facility is located in Mansura Louisiana; and,

WHEREAS, Kerotest Manufacturing Corp. combines its legacy of innovation and experience with technology that enables the company to maintain its dominant position as a cost effective producer of high quality valves for the natural gas industry; and,

WHEREAS, Over the nine month period that saw the Vice President of the United States, Al Gore; visit Hazelwood to personally cite Kerotest as a nationwide example of how a company can thrive by reinventing its manufacturing process, and has become a high tech, TQM manufacturer utilizing new, state of the art facilities and a Team Concept that boasts of refrained and highly motivated workers, and,

WHEREAS, Kerotest was the recipient of the 1999 ESOP award for

Company of the Year in the State of Pennsylvania for all of the aforementioned qualities as well as Kerotest's demonstration of its commitment to employee ownership, open and honest communication with all employees and a work environment that fosters worker participation, wealth, creation and the promotion of each individual's dignity and worth; and,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does recognize and congratulate Kerotest, the almost 90 year old company that has been employee owned for 15 years, with all 100 employees participating in the ESOP program, for its national recognition with this esteemed award, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 6, 1999, "Kerotest Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Again, we are very honored. It is state wide you are awarded the top company in the state. So we are very proud to have them in Pittsburgh and they really did a great job in Hazelwood.

Bernie, come on up and say a few words.

Mr. Hilderman:

Thank you very much. Council President and all members of Council, on behalf of the employees of Kerotest Manufacturing Corp. I am very pleased and proud to accept this proclamation. 1999 is another historic year for us. It is 90 years as a manufacturer in the City of Pittsburgh.

Again, we thank you very much for this honor and we will hang this plaque with pleasure in our facility. Thank you.

The Chair:

Actually you received the award down in Washington. Go ahead and tell them about the award.

Ms. Burry:

I did. I went to Washington, DC, to the ESOP Convention. There were over 800 people present and it was a wonderful experience to see the people who all had the same type of opportunity being an ESOP company. We were very honored that we were chosen for the Pennsylvania company of the year.

Ms. Patchen:

I am Rita Patchen and I have been an employee of Kerotest for eight years now. When I worked for another company for 20 years and they moved out of the city that was a sad day, but coming to an employee owned company, being a stockholder in the company makes a big difference. I have to say that I was a little bit instrumental in keeping our company in Pittsburgh. Because when we wanted to move to West Moreland County, I called Tom Murphy so that made the difference

to make us stay in Pittsburgh and I am glad we did.

The Chair:

We have two to be read into the record.

MR. ONORATO PRESENTS:

No. 1810 WHEREAS, the Watts-Truman-Lowe-Spann-Harris Family Reunion will take place on July 2nd and 3rd at the Sheraton Station Square; and

WHEREAS, this is the 16th Annual Family Reunion of the Watts-Truman-Lowe-Spann-Harris Family; and

WHEREAS, the members of the Watts-Truman-Lowe-Spann-Harris families have traveled from all over to attend this special event and look forward to seeing one another again; and

WHEREAS, the members of this family recognize the importance of a powerful and caring family unit. Family is at the heart of the City of Pittsburgh. A strong City begins with a strong community and a strong community begins with strong family units; and

WHEREAS, the love, respect, and strength of the Watts-Truman-Lowe-Spann-Harris families is evident whenever their individual family members gather together.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby welcomes the Watts-Truman-Lowe-Spann-Harris families to Pittsburgh and wishes them the best during

their stay here for their 16th Annual Family Reunion.

MR. O'CONOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1811 WHEREAS, the People to People Student Ambassador Program offers students the opportunity to develop an accurate impression of today's world society and each country's role in that society; and,

WHEREAS, the aim of the People to People Student Ambassador Program is to provide a balanced exposure to a variety of nations in a specific region through such activities as briefings by host government officials, field visits to factories and offices, meetings at international organizations, attendance at cultural performances, and homestays with selected host families; and,

WHEREAS, this program fosters the development of new friendships and an increase in understanding of the differences and similarities among all peoples; and,

WHEREAS, students from the Pittsburgh area are currently serving as Student Ambassadors to Australia and the people of Australia are extremely gracious in hosting these visitors; and,

WHEREAS, the Student Ambassadors have experienced Australia's cultural magnificence and natural beauty thus far throughout their trip and will continue to do so throughout its duration; and,

WHEREAS, the Burdekin Shire Council has welcomed the Student

Ambassadors from Pittsburgh in the town of Ayr with a civic ceremony, thereby establishing a relationship with the City of Pittsburgh and Ayr;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the People to People Student Ambassador Program and the Burdekin Shire Council for their commitment to the building international relationships; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 1999, "Burdekin Shire Council-People to People Student Ambassador Program Month" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolutions.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

At this time, any public comments? Anyone wishing to address Council will you please step to the microphone, give your name and address for the record.

PUBLIC COMMENTS

Mr. Ingram (phonetic):

(Inaudible) Ingram, UniverSoul Circus, Atlanta, Georgia. The UniverSoul Circus is coming to the City of Pittsburgh July 21st through the 25th, we are brought here in part by the group Entity. We have a lot of support from the President of the City Council. We thank you as well as

many members of City Council and we look forward to a great show here in the City of Pittsburgh from July 21st through the 25th and we look forward to having all of you there.

The Chair:

That is going to be at Reizenstein I believe.

Mr. Ingram:

Reizenstein Middle School.

All city employees will have a half price day on opening night.

The Chair:

Thank you twice.

Ms. Brown:

My name is Yvonne F. Brown, I live at 2633 Brackenridge Street, that is here in the Hill District. I had planned to speak on a different matter all together. Something all together today, but what I wanted to speak on is that I was watching Channel 1 and that has to do with -- it was called the Legislative Journal. I listened to a representative that spoke about education. What I have, I have a sign on me that says No Prisons for our Children. I feel that in order to be able to do that, we must put more money into our educational system, the Pittsburgh Public School System.

The legislative representative spoke about Governor Ridge. We know that Governor Bush is running for President. Governor Ridge will most likely run for Vice President. But people

here in the Pittsburgh area and around in this area needs to know that Governor Ridge has cut our budget for the Pittsburgh Public Schools down to 35%. Governor Ridge is doing the opposite of what Governor Bush is doing.

Governor Bush has taken their surplus and he is putting -- he is lowering taxes. Plus he is also lowering the classroom sizes. If you read in the Teach. It will tell you which they have found out that if the class sizes are between 15 and 17 students instead of 30, the children can learn much easier, much better. Plus also, we will keep more children in school if they are learning correctly. We won't have to build as many prisons as we have now.

Now I would like to deviate since we are talking about the school, I would like to speak to two friends of mine, Tonka, he is an educator and Cynthia Green who is a teacher with the Pittsburgh Public Schools System. I understand that she is having some health problems. I want to make sure that the citizens for the City of Pittsburgh know about this fantastic teacher that we have had. I met her at Milliones Middle School. I remember leaving thinking boy are the children lucky that we have such a young lady that is interested in teaching all of our children and interested in making sure that they learn. That they learn about respect, they learn about self-esteem. That they can learn or understand that they will be able to learn if they put their minds to it. If they seek out assistance there are a lot of teachers who are fantastic but sometimes the children don't give them a chance. So I am saying to Cynthia, God is with you. I am praying with you and I thank you. Have a nice day.

The Chair:

Thank you. Next speaker please.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart, and I live at 5811 Penn Circle North.

Again, the Council person who represents my district, Ms. Valerie McDonald is not here, and I also understand she is over at housing, so it is very important that I catch her at these Council meetings. Because my problem she is the one who may be able to handle it. It is in her district.

The problem that I have is a problem that many people are having, who have to have their homes renovated. This problem you, the City Council, must look into because when a person makes a loan to renovate their homes, they must not be ripped off. It is the women and the elderly that are being ripped off. I want Ms. McDonald and also you, the City Council, down here and the Mayor – No, I am not going anywhere. You see it is a problem. I am suffering through this.

I have pictures here I am going to pass around. I have an envelope that I am going to pass to everyone, all of the City Council. You see, what I am being put through, the hardship that I am being put through. I am being made to pay \$571 a month for something that I do not have, this should not be happening. What is happening is the little people don't have anyone to turn to. Who do we turn to when you have the Urban Redevelopment the one who is supposed to be looking over you they're the ones that is stopping

you. I mean this can't go on in this city. It is happening too much to the little people and the little people do not have anyone to turn to.

I have been for ten years trying to get someone to look into this problem. This is wrong. I mean no one should be treated like this. I am not accustomed as many elders of having to have a con game did on them. I didn't look for it. I wouldn't have dealt with them if I had known that. I mean you don't tell an elderly person that if they don't sign this you can't get your home completed. Yet, you already made the loan for the money. I mean I have papers in here that will tell and verify what I am saying. So, this here, you have to look into this problem. This is a serious problem in Pittsburgh, Pennsylvania. It is an evil problem.

You the City Council should not be sitting back and allowing this to happen to me or no one else. I am going to put the facts on the table to you and you be able to see that what I see is very much so. I am so glad to see Ms. McDonald coming in because I have a serious problem and it is in her district.

Ms. McDonald, I am not going anywhere until this problem is solved because I should be able to live in a house just as well as anyone else. I wanted to make that house a home. I still want it to be taken care of. I am paying for something that I do not have.

Ms. McDonald:

Yes. To Ms. Urquhart, yes I am here. I was at my desk trying to dig up the chronology of the events that lead to your complaint and your concerns. This was

given to me by Mr. Dennis Davin of the URA. Again, I was out of town last week and I watched the tapes of the Council sessions, there were a lot of tapes to watch. You guys had long meetings in which Ms. Urquhart was basically expounding upon her dilemma that she faces with her home and I do feel for her dilemma.

This has been an issue since I got on Council in 1994. It has not been resolved yet and I don't think it can be resolved legally. So, in the meantime, I had asked Mr. Dennis Davin of the URA to please give me all the information absolutely possible on this problem. This is a chronology dating back to June 26, 1991, which is the closing date of the home all the way up to July 2, 1998. It is a five-page document. I know that in Council, I believe Councilman Udin when he was chairing Standing Committee had asked if we could get copies of something from the URA, some correspondence to explain this matter. Councilman, thank you very much for requesting that. This was faxed to me June 30, this information.

So I do have the information, it has been here, I will be making copies for all Council members so that they understand the dilemma and understand how complicated the situation really is. But thank you, Ms. Urquhart, and I also will share this with you.

Ms. Urquhart:

It is not complicated. The house is not actual (inaudible) I have been robbed. You don't go to the hen house and ask him has he been in with the chickens. Because you know that the URA is going to tell you the truth. The facts are on the paper and the house is out there.

The Chair:

All right. I want to thank the URA for their information and, Ms. McDonald, I am sure you will keep us abreast.

Next speaker please.

Ms. Bay:

My name is Vivian Bay and I live at 7209 Finance Street. I am here to address the problem of permit parking in my block. I spoke with Mr. — permit parking was passed in a meeting at 200 Ross Street and I spoke with Mr. Meritzer about it, and I was told that my only recourse was to come here to City Council.

I did vote for permit parking the first time that it was introduced in my area, but I later changed my mind for reasons that it is too lengthy to go into in here. I was under the impression that I did have the right to change my mind. I also understood that you need 75% of the people in order to pass the permit parking in my block. 75% of the people have not agreed to permit parking. I have changed my mind. I have a letter here from Mr. Edward Gold at 7241 who does not want permit parking. There are only — permit parking is going in my block is going to go from Homewood Avenue to Albion Street. My house is the first house on Finance Street. The next house when permit parking was introduced was vacant, the person was dead. There is a huge lot in between that and two other houses, where they said they got signatures. This is one of the signatures where the person does not want it, the fourth house there was no one in it, it was vacant at the time. It was

being remodeled. I am here to – I was told I could come here to address this problem.

I spoke with Mr. Meritzer and he said that it was fine with him if that block of Finance Street was not included in the other sections for permit parking if we did not want it and we do not want it.

Ms. McDonald:

This, Council President O'Connor, this will be dismissed tomorrow. My understanding at Wednesday's Standing Committee Meeting. Before I had left, I had addressed this to Mr. Meritzer and he had said that he had no problem in removing the block of Finance Street in which residents do not want residential permit parking. But he, and I agree with him, refused to remove all of Finance Street since we do have to accommodate people who do want residential permit parking.

It has been a long process and I believe that all the details of the process of residential permit parking in terms of getting it approved for an area have gone on. I mean everything has been done. To Ms. Bay I appreciate her concern. I would just ask you to if you would please give to myself a copy of your signatures of the residents of your block saying you do not want residential permit parking. We must have that as a document in order to eliminate that part – to pull that part out of the whole program's perimeter.

So if you would please we are looking forward to getting that. We are hoping that this is going to be a win, win for all the residents including those residents on Finance who do not want it.

The Chair:

Thank you. That will be in front of us tomorrow?

Ms. McDonald:

Yes, it will be discussed tomorrow, but I cannot make a motion to alter the plan unless I have those signatures. If I don't have the signatures the plan has to go through as is according to the process.

Mr. Ferlo:

Mr. President, I would strongly urge that the reconsideration for a public hearing. It is up to Councilwoman McDonald, but I continue to have reservations on the expansion of the program.

I find often times that individual property owners whether they own property or rent and have a vested interest in the community are not always aware of what the requirements of the residential sticker parking program and even in this situation, this illustration. We could have a situation where despite the comments that we just heard, best intention is to have one section come out of the overall expansion plan.

The thing that actually may happen depending on the traffic situation and where people park if they know one small part of the block doesn't have residential sticker parking, the actual impact might be directly opposite of what our speakers just asked for. Because the fact of the matter is if that one part of the block doesn't have the signage, now all of a sudden everyone is going to find that block. You are going to have a real problem on your hands

because that is where people will continue to park.

I just ask that at some point maybe we get considered and I will defer to Councilwoman McDonald, but I am going to vote abstain on this residential sticker parking because I often times find that people despite the good efforts of our employee Richard Meritzer is a wonderful person. He works so hard. There is no question about that, but it is very difficult to get a community to understand what the full impact of residential sticker parking is. Then when you start picking and choosing and changing the streets, it has sometimes a negative impact.

I am wondering if we take part of this Finance Street out, what you may have is everyone finds that one block from where the speaker just spoke from and they end up parking in that part of the corridor. So, that is why I am uncomfortable voting on this tomorrow. I don't forget I may have a neighborhood meeting, a public hearing at the neighborhood that is going to be effected, but I just think there is a problem with the notification and people understanding what the impacted program is.

Ms. McDonald:

Tomorrow I will be prepared, I don't think it is appropriate to make a whole discussion now since we don't have the legislation before us to discuss. But tomorrow I will be prepared. But there were, so that you know, at least three possibly more community meetings.

The Chair:

Thank you. Any more speakers? We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 1789 Resolution providing for the issuance of a warrant in favor of Bally Design, Inc. in the amount of \$27,521.00, a warrant in favor of Triangle Welding in the amount of \$10,907.00 and a warrant in favor of Christine Davis Consultants, Inc. in the amount of \$7,900.00 for an aggregate amount of \$46,328.00, in payment of work performed in conjunction with the historic interpretive signage system for the Heritage Trails; and providing for the payment of the costs thereof.

No. 1790 Resolution further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by creating a new line item "Heritage Trails."

Which were read and referred to the Committee on Engineering and Construction.

MS. MCDONALD PRESENTED:

No. 1791 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the Inner Triangle Redevelopment Area (Council District No. 6)

No. 1792 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program ("RACP") grant in the amount of \$10,000,000 for the Marketplace at Fifth and Forbes Project (Council District No. 6).

No. 1793 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for a Redevelopment Area to be formed on the South Shore of the Monongahela River (Council Districts No. 2 and No. 3) Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1794 Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911 to the Boys and Girls Club of Western Pennsylvania for authorization to use an existing 3-story structure as a Charter School for grades 9 thru 12 with a capacity of 325 students located at 4412 Butler Street on property zoned "RM-3" Residential Multi-Unit, Moderate Density District, 9th Ward.

Which was read and referred to the Committee on Planning, Zoning and Land Use

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill

was introduced, so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTED:

No. 1795 Resolution providing for a Lease(s) and/or License Agreement(s) for the use of certain property for senior citizen facilities for the provision of center services to senior citizens in an amount not to exceed One Hundred Seventy Three Thousand Six Hundred (\$173,600.00) Dollars, chargeable to and payable from the Senior Citizens Program Trust Fund in the Department of Parks and Recreation. Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1796 Resolution transferring \$50,000.00 from Utilities, City Information Systems, Account 568500, Fund 1000, Organization 103000, Sub-Class 160, Budget Year 1999; \$75,000.00 from Miscellaneous Services, City Information Systems, Account 525100, Fund 1000, Organization 103000, Sub-Class 150, Budget Year 1999; and \$100,000.00 from Health Care, Department of Personnel, Account 571100, Fund 1000, Organization 999300, Sub-Class 040, Budget Year 1999 for an aggregate amount of \$225,000.00 to Tax Information Systems Modernization, Department of Finance, Account 600000, Fund 5100, Organization 107000, Sub-Class PGHPR, Project/Grant 2251004, Budget Year 1999.

No. 1797 Resolution providing for an Agreement or Agreements with Three Rivers Area Labor Management Committee, 106 South 18th Street, Pittsburgh, PA 15203, for professional services in connection with the Tax Information Systems Modernization Project, Department of Finance; at a cost not to exceed \$100,000.00.

No. 1798 Resolution providing for an Agreement or Agreements with Unisys Corporation, Township Line & Union Meeting Roads, Blue Bell, PA 19424-0001, for additional services in connection with the Tax Information Systems Modernization Project, Department of Finance; at a cost not to exceed \$875,000.00.

No. 1799 Resolution further amending Resolution No. 781, effective January 1, 1999, as amended entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by adding non-bond proceed funding sources to the Integrated Self-assessed Tax Project which increases the proposed budget from \$964,000 to \$1,939,000.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to unfinished business. Is there any unfinished business to come in front of Council?

Hearing none, we will move to Chair Reports.

CHAIR REPORTS

Mr. Hertzberg:

Mr. President, usually the reports are transmitted by the different departments and we are basically giving a report that we have received from the Director or someone else in the administration. My report today is just from me, individually. It is on a very limited topic and it is something I wanted to report on earlier. That is our effort on our trails in the city.

Probably everyone is aware that this year there was probably more work done on our trails, our riverfront trails and some of the other trails than ever before. We just finished a Convention of Rails to Trails here. I understand the convention was a great success and a lot of the work that has been done has been excellent work.

Our Department of Public Works, I believe, has done just about everything in house so we have been able to save a lot of money that way. We have our own asphalt plant, as we all know. We have our own asphalt crews. They have been putting the asphalt down and a lot of these are dual trails, both asphalt, which works best for people on roller skates and bicycles. Then there is also a crushed limestone surface which is good for those people walking and running.

Sometime this Spring I received some third hand information that construction of one of the trails had run into some severe problems. This is in Schenley Park. And driving by on the parkway, I looked I could see it appeared a trail had been cut but I couldn't tell

anything further. So I sent the director a memorandum which was April the 7th after hearing this rumor asking for the status of construction of the connection between the Eliza Furnace Trail and Schenley Park. I never did receive a response. I have been by on my bicycle and it appears to be blocked off with some of that orange netting type thing that you utilize when something is not completed.

I did have the opportunity over the weekend to actually inspect it. I was shocked to find that there are at least two, maybe three portions of this hillside trail in which the slope has failed. There have been landslides and making it a real problem. And to me it appears that there has been some money wasted. I don't even know what we're - I don't even know what the resolution to it is going to be since I haven't really been provided with any details. I can do nothing but observe myself. I don't have any expertise other than to tell you what my eyes saw, which is a trail cut up a hill that weaves back and forth across the hill so that it is not too steep. When we have a steep hill, you will often see roads that climb hillsides that do the same thing but in several portions the land has slid down so that you cannot use the trail at all.

I think, I am not sure, who is responsible for this whether it is the Department of Public Works or not they have been doing most of the work, but that is one of the questions that I have. I think they have taken credit for some of the successes and we have quite a few of them. But we also when we have a situation like that, I think somebody needs to step forward and own up to what the responsibilities are here and tell us what we are going to do about it.

Seeing that that has not happened, notwithstanding my request, I am going to be making a motion at this time I would like our Controller to perform a full investigation. Number one, find out who is responsible for the problems with the construction. Also what did this cost us funding wise to undertake this what appears to be a failed trail? Also to see if there is any potential solution to it? If there is, what is going to be the cost of that solution?

So, I will conclude my report by making a motion, a formal motion to our Controller to perform this investigation and audit.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to Reports of Committees.

MR. UDIN PRESENTED:

Bill No. 1800:

Report of the Committee on Finance and Budget for June 30, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

Bill No. 1380:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of

1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 512 Lockhart Street, 23rd, Ward, Block 8D, Lot 164, being purchased by Stephen Mesich. Two story brick house situated on a lot containing, 2,229 sq. ft. Intended Use: Personal Residence. (Council District 1).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bill?

The bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

(Mr. Hertzberg, Mr. Onorato and Mr. Udin voted no and Ms. McDonald abstained.)

Ms. McDonald:

Mr. President, I am sorry, we voted on 1380?

The Chair:

Yes.

Ms. McDonald:

I am abstaining because I was not available for this discussion and I still am not clear.

The Chair:

The bill having received the legally required number of votes is approved finally.

Also, with an affirmative recommendation.

Bill No. 1733:

Resolution carrying over balances or portions thereof remaining in certain Accounts for the year 1998 to the same or to other Accounts for the year 1999.

Which was read.

Also,

Bill No. 1766:

Resolution authorizing the City Solicitor to enter into a binding agreement with the Pittsburgh Building and Construction Trades Council pursuant to the Memorandum of Understanding of April 6, 1999 between the Pittsburgh Building and Construction Trades Council and the City of Pittsburgh. (SPONSORED BY MR. O'CONNOR AND MR. FERLO AND CO-SPONSORS MR. HERTZBERG AND MR. RICCIARDI).

Which was read.

Also,

Bill No. 1764:

Resolution transferring the sum of Twenty-Five Thousand Dollars (\$25,000) from Account 568500, Fund 1000, Organization 103000, Sub-Class 160, Budget Year 1999 to Account 516000, Fund 1000, Organization 103000, Sub-Class 020, Budget Year 1999, Mayor's Office, City Information Systems. This transfer is necessary to compensate our staff for the extra hours necessary to handle the extensive volume of work related to the Y2K projects and applications.

Which was read.

Also,

Bill No. 1765:

Resolution providing for the issuance of a warrant in the sum of \$12,500.00 to Carol A. Loncar c/o Paul D. Boas, Esquire, Fifth floor, Law & Finance Building, 429 Fourth Avenue, Pittsburgh, Pa 15219, in full and final settlement of an action filed at gd 94-00820 and arising out of the issuance of a summary criminal citation against Ms. Loncar on or about January 18, 1992.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

On Bill 1766 as you know, Mr. President, has been a considerable amount of discussion about this bill and the jobs that may or may not be created by the bill. I have been one of the critics of the bill only because I feel that it needs to be strengthened. As a result, I have prepared some amendments. Hopefully Council will find them consistent with the rationale that supporters of the bill used in support of the bill.

I have distributed to Council members one amendment I hope everyone has a copy by now. It is a resolution which directs the Mayor to request that all city and City/County authorities adopt a resolution patterned after the city's minority and women employment goals of 25% and 10% respectively as it relates to major construction projects contracted by that authority. The Director of the Department of Finance is directed to withhold the transfer of any funds to any authority, which has not passed the resolution within 30 days until such a resolution is passed.

The purpose of this amendment, Colleagues, is to give some deliberate action on the part of the city in moving the authorities towards a specific employment goal. Many of the authorities have already adopted contracting goals of 25 and 10%, but they have not adopted employment goals of 25 and 10%. Some people are under the mistaken belief that minority employment, minority contracting translates to minority employment and that women owned contracting translates to women employment, but it does not. Many of the minority contractors have the majority of their personnel is not minority. Same is true with many of the women

owned firms, the majority of their personnel is not minority or are not women.

Therefore, this resolution, this amendment seeks to have the authorities to adopt a policy similar to the city's relative to the hiring of minorities and women on construction supported by that particular authority and the city.

I should inform the President that I have several amendments to be made and I wish to introduce them and vote on them one at a time. But I offer this as the first amendment.

Mr. Ferlo:

I don't know if it was seconded for purposes of discussion, but I will second for purposes of discussion and if there are other amendments it would be nice if we could have them instead of being fed pabulum here.

I am not sure what the intent of this resolution is I don't obviously object to it. It is the very resolution I introduced several weeks ago and was approved by this Council as a basic intent that we look at allowing employment, 25% intent employment be giving consideration in the execution of contracts. So, I wholeheartedly support it.

I don't think it is appropriate to attach it to this resolution which is an attempt to garner a more cooperative working relationship with the Building and Construction Trades Council and the Master Contractors Association through the administrative arm and the Mayor's Office. If we are going to do it, I am not going to object to it, it is basically what I

had introduced several weeks ago. I don't think it is legally appropriate though.

We have no power to direct the Mayor to do anything relative to executive order. If we want to leave the wording the way it is, that is fine. I don't think we should be confused about the legality of this Council on being able to direct the Mayor as it relates to an executive order.

The Chair:

Any further discussion?

Mr. Cohen:

Thank you, Mr. President. I am trying to read and analyze this. I just came from a Public Auditorium Authority Board Meeting and I just wanted to ask the sponsor about this amendment. At the Public Auditorium Authority I introduced legislation to amend the authority's rules and regulations to add MBE/WBE requirements exactly the same as the Mayor's prior executive order, Mayor Masloff's executive order. I am trying to understand whether the resolution that for example the Auditorium Authority would need to pass would be the one that has already been passed or to add employment to it or the resolution that Councilman O'Connor is putting forward. Just to ask the sponsor that question. So I want to see what this would bind the authorities to do?

Mr. Udin:

The intent if I may, Mr. President, is to one apply to all of the authorities not just the Public Auditorium Authority. The executive order issued by Mayor Masloff had to do with business enterprises owned

by minorities or owned by women. It is silent on the question of employment.

The city has a policy of 25% minority employment and 10% women employment. This is intended to urge the Mayor -- I am not quibbling about the word direct, we can put authorize, we can put urge, it doesn't matter -- the Mayor to request that the city's policy as it relates to employment apply to the authorities.

The Chair:

As I am reading it, and this pertains a lot to what Ms. McDonald's bill tomorrow I believe is up for discussion when you are saying employees of any of our authorities, I think is in the right direction. My only problem is --

Mr. Udin:

It is not the employees of the authorities, that is what you got from it, I misspoke. It relates to construction projects. Major construction projects that are entered into by those authorities, the employees that result from those construction projects are the employees I am referring to here, not the employees of the authority.

Mr. Ricciardi:

Thank you, Colleagues, and thank you to the sponsor of the amendment.

However, they were actually doing a disservice to the intent and to the goal and to the mission of this particular amendment. You know my first gut reaction is this is an easy one, let's vote for it because we all understand what we are trying to do. But I don't think it is going

to accomplish it by just having an amendment to the particular piece of legislation.

What I am saying is, I would really like to see this introduced as a resolution or even maybe an ordinance even though I am not sure of the legality. We know what the problem is, the problem in the past that we have found out that first of all the City of Pittsburgh and several of the authorities are not meeting our goal and the goal being 25% minority participation and 10% women participation in terms of receiving work. So that is our first problem. That is our first goal that we have not accomplished. But then we have also found out that many of the MBE's and WBE's are not themselves hiring minorities and women. That is another problem.

We have also discovered and I have seen it now with the Public Auditorium Authority that many certified MBE's/WBE's are not from the City of Pittsburgh or Allegheny County or maybe necessarily even the state. So a lot of the businesses that are minority owned and women owned are building wealth but that wealth has not been translated or is not being trickled down to the average citizen in the City of Pittsburgh. In this case a minority a women. So we definitely have a problem there and we need to discover why. Why are there MBE and WBE's in the City of Pittsburgh not hiring blacks, other minorities and women?

If we pass this today, I mean this respectfully to the sponsor of the bill, we pass this today, it is not going to accomplish much at all. Because number one, we don't really -- I know what the PWSA and other authorities are going to

say that we are independent. We are enacted and we are mandated by the 1945 Authorities Act that has been drafted in the state. So I am not sure and no I am sure, I don't think this will accomplish much and I know the sponsor of the bill has never presented to us in his term in office fluff bills. Bills that look good but that aren't going to do much at all. I think this might be a reaction to the bill that Mr. Udin has some legitimate concerns about.

I would ask the sponsor of the bill that I really would like to see this presented by itself and let's discuss this at the table. Let's bring the appropriate people at the table. Let's talk to the authorities at the table, let's talk to the administration. Let's talk to our MBE/WBE regulators such as EXICO with the PWSA. Let's also talk to some of the contractors, both MBE's and WBE's and find out why they are not hiring minorities and women. Let's also talk to some of the primes who are not MBE/WBE certified and see people that they are hiring and if they are hiring minorities and women. Let's get really to try to accomplish something in this.

Once again this is easy to vote for. if there is a vote on this today, I will vote for it, it is not a problem. But I really would like to see us accomplish something big with the intent on this. I think Mr. Ferlo took the first step several weeks ago if I am not mistaken and he stated well if we are going to review a prime by the MBE/WBE amount of money, that they sub contract out. Let's make sure at least it is trickling down to the average citizen, the minority or a woman in the City of Pittsburgh. But I am not sure if this is going to accomplish what the sponsor of the bill will.

Again, I will end just by saying it is easy. I will vote for it. It is going to look good both politically in terms of policy but just voting this as a rider to the original bill isn't going to accomplish much. We have to see what the problem is. Why aren't MBE/WBE's hiring minorities and women? I had the same issue and it has to deal with an association that I am involved in now. Matter of fact we had an MBE several years ago who was doing some work and did not have one black worker or one woman. Now we have a different company that we hired it is not an MBE hired company, but they have black workers. So that is interesting in itself.

I mean I would rather delve into this in a post agenda and I will just say that and say I will vote for it today. But if we really want to accomplish something, I would love to hold this amendment or present it somewhat differently and let's really talk at the table and see what the problem is. Let's actually try to accomplish something here in the City of Pittsburgh for minorities and women and let's stop just passing some of these. I don't mean this in any negative sense, but let's stop passing some of these nice worded ideas or paragraphs and really two, three years from now minorities and women will still be looking for work. Thank you.

Mr. Ferlo:

First of all, I can't vote positively on this amendment until I hear the rest of the amendments. Because I am concerned about what the intent is of all of these various amendments. The bill that Council President O'Connor worked on. and I want to thank him for his work,

attempts to embellish and expand a sincere effort by the Mayor and his administration to work more cooperatively with the building and construction trades unions as it relates to young people and others who are skilled or non-skilled getting in and having opportunities for work now and into the future.

So the administration I think to a good step forward and I think your efforts, Mr. President, went even further in the four principles that are numerated in the bill that is up for final adoption. The bill is an agreement between the building construction trade unions which represents 22 plus separate unions as well as the contracting community, the Master Builders Association who in the main are the folks who actually hire the workers, the unions themselves don't hire the workers. I think it is a step in the right direction.

I think it builds an important relationship that we should expand. I note Mr. Stanizzo's letter to the editor in my good old favorite newspaper the Post Gazette, which always selectively reports the news that care about with Council and editorializes on some issues but not others. But in any event they did provide a fair opportunity for a Mr. Stanizzo to have a letter to the editor where he enumerates six or seven initiatives that the Trades Councils have been involved in, in order to expand opportunity for minorities, women and city residents. I won't repeat his letter but I would ask that folks look at the letter.

So again the Council in a near unanimous vote about a month or so ago and I have the bill now in front of me voted on the same thing that we are

already listing as a proposed amendment. We actually passed a formal legal resolution which says the same thing about 25 and 10% female minority at the job site construction related employment, it specifically has three points. The Director of General Services to prepare the legislation so we can amend the city code of ordinances Section 161 the bill that we approved already asks for a formal report from the MBE/WBE committee. So we could hear their input because I will remind my colleagues that there was some concern about whether or not it would be an addition where an MBE/WBE goal could be met by procurement professional services and employment or whether in certain cases it would be either or. That is an important issue that should be discussed. She should have some input on it.

So hopefully in the next few weeks we will get a response from the administration and we will finally consummate what the original intent of this bill is. But again, not hearing what the rest of the resolutions or amendments would be, I am not sure what the attempt is here. But it is to kind of take pot shots at the agreement that I think is a good positive agreement and I am not going to vote for this. I am not going to vote any of the other ones. Because it seems as though some of the intent here is to change the administrative workings of government. Maybe some of these things are good and we should do them but I would only ask that they be done by separate resolution. I think it diverts attention and defuses and kind of in my opinion demeans the cooperative spirit of the Trades and the Building Council. So what are the other amendments, do we have them?

The Chair:

Is that directed at Mr. Udin?

Mr. Ferlo:

Well, I mean I don't think it is an unfair question to ask accumulatively what is the effect of the other amendments? Do we have them before us?

Mr. Udin:

You will have the other amendments, Mr. Ferlo, when the submitter of the amendments distributes them.

Mr. Ferlo:

Well I think in fairness I think they should be submitted now so that we can review them because collectively --

Mr. Udin:

Mr. Ferlo, if you have amendments you should submit them as you see fit. I have amendments I will submit them as I see fit.

Mr. Ferlo:

Well, I am not playing this game and I am not voting for this bill. I think we all worked hard on this legislation and the other legislation. I don't know what the accumulative effect is of all of the amendments. I also think it is a cheap shot at the Trades Council. I think I have made a sincere effort to work with this Council and the administration on a complicated issue involving underemployment, lack of employment --

I am not voting for this.

Ms. McDonald:

I would like to -- what amendments? I mean we are talking about a bill that was discussed last week, post agenda. I watched a taping of it. It was long, it was good though. It was an excellent post agenda, I want to commend you Councilman O'Connor for that.

The one thing, I don't understand what amendments are going to come forward on this bill. In fact, we have Pittsburgh Works that there were amendments, we have this bill that now we have an amendment, what are we amending?

Okay, the only bill before us is 1766, which Councilman O'Connor was a primary sponsor of. I support this legislation as is. I will entertain amendments, I just saw this morning. It just was passed down to me so I haven't even had a chance to really think about what will this do. If anything I would move to recommit so we can discuss the amendment. I don't think it is appropriate to do it right now right before final vote.

I have to commend Councilman Udin for still pressing for what we feel is right which is parroting that to have more minorities on the job sites, more women, more opportunities. There is nothing wrong with that. I will be frank with you, African American's have historically been shut out of the unions. Yes, I have to agree with the building trades, with Mr. Stanizzo, Mr. Holman, Mr. Ramage, that there have been a lot more opportunities made, that the doors are open. But believe

me there were years ago they were shut tight and I know this firsthand from family members, older family members who conveyed to me they were shut out.

So let's not unduly criticize Councilman Udin for pushing the envelope. It is long overdue, the envelope does need to be pushed. But unfortunately with this amendment, I haven't had time to really digest it to see how it would fit in. There are a couple concerns I have. One, in listening to the post agenda it was clear that there were approximately 2,000 out of 11,000 members who were minorities quote unquote they couldn't elaborate or they didn't have the statistical data to discern whether they were African American's, or they fit into some other minority category. Were there women included in that 2,000? We don't know. But approximately 2,000 out of 11,000. If you set an employment goal higher than what you already have, you know what this does. This is going to force you right into court. Because as soon as you start taking jobs away from others, which is what this does, you are going to have a problem. This is what I would need more of a legal opinion, some kind of an analysis on where does this put us? Does this put us in a precarious position? We need 25 and 10. We need more than that to tell you the truth. To have parity, you are going to have to increase one number a lot more significantly than the others. But the problem is that you have the reality of facing the legal repercussions for doing that. I want to make sure we do it right.

I do know that in the Mayor's Executive order and I don't know if it is in the Memorandum of Understanding that there is a 25 and 10 employment goal but that is only for apprentices only, it is not

for journeymen. Because you can't force journeymen, I mean you already have journeymen. They are there. I mean apprentices are trained, you can recruit and do the outreach and what have you. I understand that, but with the 25 and 10 blatantly across, I don't know how this figures in.

Personally like I said, I don't like abstention votes, I like a nay and yeah. It is like make up your mind one way or the other. But with this one, I haven't even had a chance to look at it, I have no legal opinion, I have nothing. All I have is well maybe a few minutes ago.

The other thing, so I am going to abstain based upon that. The other thing is I would like for the other authorities to adopt the same policies as the city as the last phrase, the Director of the Department of Finance is directed to withhold the transfer until the other authorities pass a resolution as such. We do need consistency. I would like to see consistency. I whole-heartedly support this one. I think we need to do it across the board. I don't see anything wrong with that.

The authorities are arms of the city and the county, why shouldn't we I mean hey the Mayor and the Commissioners pick the members of these authorities. So why shouldn't we have some say on imposing some kind of policy, some kind of direction that we like to see them go in terms of fairness. So I have no problem with the second phrase, I would say if there is any problem it would be with the first one. I would need a legal opinion before I can say yeah or nay on this amendment.

Mr. Onorato:

I just want to clear up one point of clarification. Councilman Ferlo, this amendment is it similar or identical to the bill that you put in a few months ago or is there something different between what they are reviewing and this bill?

Mr. Ferlo:

Resolution 366 adopted by this Council would require that the administration roughly in the next 20 days was a 45 day time frame basically provides that the executive order would be issued to all authorities for a 25 and 10% MBE/WBE employment goal and construction related jobs at all the authorities. It would direct the General Services Director to come back to us with specifically the language to amend the code of ordinances on the competitive bidding requirements stating this provision. It asks for a formal report from the MBE/WBE Committee on this provision as to whether or not they want to modify or have some input in some way and that is what it intends to do.

We have to enact something legal. The bill that we approved sets up a process for us to get to that point. I don't see that there is much difference. I don't think the intent here is this bill. I think the intent is through a series of amendments to get the Pittsburgh Works bill in this.

Mr. Onorato:

The reason I asked that question, it is my understanding that the authorities have adopted the existing executive order over the years. I sit on the Stadium Authority, I am in full support of the bill that Councilman Ferlo brought forward

weeks ago. Because I think that employment should be one of the factors that is allowed to be considered when you are evaluating if a company is meeting these goals because that is the ultimate goal. One of the ultimate goals is employment in addition to ownership. I think it should be one or the other. We should be allowed to look at that as a factor, that is why I supported that bill.

I will vote no on this amendment today only because what I would like to do is have Councilman Ferlo's bill move forward, have the executive order amended and then at all the authorities amend the executive order which has been adopted to date to reflect the change. So it is consistent for all the authorities and for the City of Pittsburgh. Because I do believe that the employment issue is critical. It does achieve what Councilman Udin is trying to achieve here. I think for the construction projects if it gets changed in executive order, there is no reason why the authorities can't adopt this in a matter of a week.

I will commit as a member of the Stadium Authority once the executive order is changed to bring the resolution to the Stadium Authority and I am sure it will be a unanimous vote because they adopted the executive order to begin with. I think this is a positive change to the executive order.

The Chair:

I would ask Mr. Udin too and I think as you are hearing more positive, I believe this bill that we introduced is complimenting what you have done. Moved it a little further. Maybe it is not as far as you would like it to go, but I think it

is in the right direction. Such as the 25% minorities in the apprenticeship program. I was pleasantly surprised to hear they will be hiring at least 150, total of 600 if you take 25% that would be 150 minorities and women going to work this year for the next three years. That means we could have — and I understand that is a low figure. That figure is telling us in three years from now as we sit here that we would put an additional 600 to 800 minorities and women to work on construction jobs. I believe that is what you intended. If any of you deserve all the credit for initiating this and I certainly believe that not only if they are men of their word, or people of their word, but the building not only trades but the Master Builders Association is doing that. All the other work added to it will certainly enhance and I think you would be something to be very proud of.

Second, I believe you were very concerned about people working in Pittsburgh not only on the jobs but years ago maybe the transportation or they would send people very far away. They have committed to make every effort to put people in Pittsburgh whether it be the PNC's or Mellon or whatever jobs there are here. They don't believe that is manageable 100% but they have agreed. I believe it was a big step in the right direction with your initiative to at least guarantee them to stay in Allegheny County.

Third, one of your main concerns again fighting for people who never had a job maybe their parents or they don't have a father, or they have never seen the construction work or know what it is about. Maybe families don't have cars and that was a lot of our arguments about the

airport. People in the city especially low income could not get to the airport jobs. We have made many, many initial efforts from the city and the administration to help with transportation issues, helping with driver's licenses, helping with high school diplomas, helping with childcare, all those things that you initiated I believe we are making it stronger.

Last but not least, one of your major concerns I believe were to have an open shop that people who had the experience but for whatever reason never joined the trade union who may have more experience than any electrician out there. They have agreed to open their doors, take a test, and where ever they fall in that test they would be put right into that category. Whether it be full journeymen, two-year apprentice. But I was with a plumber yesterday who is a master plumber and feels he would have a tough time going in as a master plumber but could be a journeyman or at least a third year apprentice. So I believe we are moving in the right direction.

I would ask Mr. Udin not to disregard any of your amendments but I believe bring them to the table, introduce them and keep moving us forward with this. Ms. McDonald has legislation on the table tomorrow, which is going to actually bring 25% jobs to everyone, not just construction jobs. I believe it did come up at the table. The authorities have to be part of this and bringing the authorities in. How can they do a better job? I think by bringing them to table, they wouldn't come to the table for you and they made a mistake. We have all criticized them for that and that is why I think we had the post agenda to bring them here.

So I would ask and I am asking for your support on what we have here and the day isn't over yet. We are still moving forward. I would ask your support for this bill because it is actually everything you have introduced and asked me to try to do although it may not be 100% I believe it is in the right direction.

Mr. Udin:

I have a procedural question if I may? As a parliamentary question, is it out of order for me to present amendments one at a time and have them discussed separately?

The Chair:

No, you can do that.

Mr. Udin:

Thank you.

The Chair:

Okay. Roll call vote on the first amendment.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Udin	

NOES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Mr. Onorato
	Mr. O'Connor
	(Pres't)

(Ms. McDonald abstained)

The amendment having not received the legally required number of votes, was defeated.

The Chair:

Next amendment.

Mr. Udin:

It is being distributed, Mr. President.

It is an amendment, which would require that 35% of all employee work hours be performed by residents of the City of Pittsburgh. The Director of the Department of Finance is directed to withhold the transfer of any funds to any authority which has not passed a resolution consistent with this section within 30 days until such a resolution is passed.

MR. RICCIARDI seconded the motion.

The Chair:

Seconded for discussion. Any discussion?

Mr. Ferlo:

No.

The Chair:

I believe, I think Mr. Onorato could verify the figures, I believe that 37% of the construction trade in Allegheny County is performed now by city residents and that is certainly better news than we heard before. One of the problems that I have with this and if you were at the meeting and heard the builders and

construction people thought at least their beliefs it is very unmanageable. And it would really hurt a lot of their workers who are working in Allegheny County and forcing them to come to a job they may not want.

Mr. Onorato:

Yeah, I would like to elaborate on this point because I am not a conspiracy nut. But it just boggles my mind that the fairness of the reporting of this debate why the union numbers have never been reported in an article yet. I don't understand it. A lot of things aren't verified that gets reported I noticed. Since when does the paper ever care about verifying anything? But what was very clear from the post agenda and they could have said the papers do this all the time that union officials presented numbers that have to be verified yet, but they never get verified. I am going to reiterate them again.

What we were told at that post agenda, Mr. President, is that there were roughly 11,000 positions in the building trades unions. Out of that 11,000, 36% of them were 11,000 in Allegheny County. 36% of the 11,000 lived within the City of Pittsburgh. But that never got reported. It got talked about and talked about but never got reported.

In addition, we were also told that 18% was the minority classification. Now the minority classification wasn't defined. African American, women, it was just minority, the whole group as one. Those numbers are being verified now. But I just find it amazing that that doesn't even get reported, never shows up in print. And I wanted to point that out before because on

one hand if you listen to the debate taking place you would think that there is no one. What really frustrated me is the 16% from the Controller's Report got reported about 20 times in the paper. Yet when we debated this at the post agenda, and I asked the question how many union officials work outside of the City of Pittsburgh on publicly funded jobs, we couldn't get an answer. We were told that that wasn't covered in the audit, but again it wasn't reported.

All I am asking for is just a little fairness. There might be a lot of blame to go around here, but there are some numbers that we have to look at. There are individuals that do live in the City of Pittsburgh, that do belong to the union. We have to realize that the City of Pittsburgh is only 25% of the residents of the county. If these numbers are presented and verified, one way or the other we will know. I hope they get reported when they come in.

The 36% of the 11,000 is a pretty good number, it is a great number. If we have 36% of the county union employment coming out of the City of Pittsburgh, I would hope that we expand on the Controller's audit and look at those unanswered questions. Where are these individuals working? Where do they work? Are they on publicly funded jobs? Did any of them work at the airport? Are they going to work at any of the projects that are being funded in Homestead along the river? Are they going to work on some of these other TIF's that are happening outside of the City of Pittsburgh? We don't have those answers. We have been asking for them. I would hope that we don't use an incomplete audit just to report that in the paper and that we get some

coverage on the facts here because they are not all in yet.

That is why on this particular amendment I will be voting no. Again because as I stated before when it comes to the construction jobs, I don't think it is a good time to talk about residency requirement when you are talking about a region that is putting in a lot of public money. There is a lot of construction going on both in and outside of the City of Pittsburgh. I want city residents, union workers to be able to work on projects regardless of where they are located. If it is in the city, or outside the city. I don't want artificial barriers popping up everywhere in all of these different municipalities. My fear is that could happen as a chain reaction if we start putting in a residency requirement in the city.

Mr. Udin:

Just as a point of information, the statistics that was quoted by Mr. Stanizzo at the table last week of 37% city residency membership in the union is not a question of not having been reported by the unfair press. The fact is that people including the city officials, including community organizations have been trying to get data from the building trades unions and from the contractors for months and months and months. It is they who chose not to present this information until they sat at that table. It is not the newspapers and media who have been unfair in reporting it. The information that they presented was not distributed to everyone like the Controller's report was, it was not verified like the Controller's Report was. It was just read to us from the table and we have not received copies of it.

It did not talk about how many people were actually on the job. It just talked about some nebulous so-called union membership. There are a lot of people who are members of the union who do not get called to work. That is part of the frustration of residents in the city who have been paying union dues and who are not getting called to work. So, to now use that number as some kind of claim that there is city representation in the union construction projects going on, is absolutely ludicrous. The same thing applies to the so-called 18% of that membership that is supposed to be minority. How many people are members is irrelevant really. The question is who is able to work and earn a living and feed their families. That is what we are trying to discover. I hope that the building trades union and the contractors will come forward with that kind of detail as they have been requested for months.

Mr. Onorato:

Mr. President, that is fine. I don't disagree with Councilman Udin, and I am sure he will get all of those quotes put into tomorrow's paper. But damn it they better start investigating these reports. That Controller Report was presented to the public and it was incomplete. It was a disgrace that it was reported in the paper that way. We should have some responsible reporters that ask the question, where were the other union workers working? Were any of them on publicly funded jobs outside the City of Pittsburgh? That question was never asked. When I asked the question at the post agenda, the Controller's Office couldn't answer because it wasn't part of their scope, it was incomplete.

All I am asking is for some fair reporting. The union officials might have some criticism thrown their way but darn it give them credit for when there is work done. And, if you want to start throwing out facts, I would ask the reporters to ask the question why aren't any of these groups, I don't care if it is the urban league or what any other special interest group presenting candidate to take the test, the number has been dropping both white and black every year. They just aren't applying any more for the test.

Somebody investigate Conley Trade School. Why do we get asked every year to put public money into our great urban school system in America and we can't produce one person coming out of Conley Trade School that can pass the tradesman's test? They are the questions we should be asking. We have a problem, sure. There is high unemployment in the minority community, sure. Don't fix it on the wrong end. Don't go to the backend just to throw a number up, go to the front end and find out why we aren't producing qualified candidates? Why isn't Conley Trade School producing when we are throwing money at it? Why aren't applicants even applying for the test? They are some of the questions I want answered. I would like to have that reported.

Sure, I am not saying that the media caused this, but give me some fair coverage at least. Give the union some fair coverage at least. Report both sides of it. Ask the question, get a fair fight. I read the paper the last two months, all I heard about is 16% from the Controller's Audit, heard about accusations on both sides. You didn't hear anything about the 36% or the 18% if it is true, if it is not true. It just wasn't reported. I guarantee you this

conversation today, it won't be reported again tomorrow. You are going to hear about amendments in the field, but you won't hear the questions that I am asking.

I am asking and I might put a bill in next week to ask the Controller to elaborate on his report to answer these questions because that is where you are going to find the problem. We are going to include Conley Trade School because he is the auditor of the public school system. If they let him in to look at it because they won't let him do performance audits because they are afraid to show their results. You want to put the truth on the table, I am ready to do it. I don't think any of you are going to like the truth because it smells out there and it stinks.

Mr. Ferlo:

Mr. President, getting back to your bill, which is the resolution that is before us, your bill is about a spirit of cooperation with the building and construction trades unions and the Master Builders Association. I am beginning to resent this continual harangue of the unions individually and collectively that make up the Building and Construction Trades Council. I think it is the wrong-headed approach, I don't think it is the appropriate progressive action that this Council should take. I will not take as a district elected representative my enemy out there is not the unions. The unions have fought hard historically in this country for every good thing that I can think of. I think they are not the bad guy or the player here we need to work with them.

I think your bill is a positive step forward. I applaud the leadership of the

trades as well as the representatives from the Master Builders Association who sat in here last week. I think it is the right approach. There are issues that are expressed by my colleague. I assume they will be expressed in the rest of his amendments that I think should be introduced separately so we can discuss them. They seem to suggest a re-introduction, a piece mail of the Pittsburgh Works Bill. If he wants to go that route, then I guess we will go that route again. But I think it is completely contradictory to the whole purpose, intent and philosophy behind your resolution of cooperation and support of the Trades Council through the Mayor's Executive Order. I would urge my colleagues to please vote no.

Ms. McDonald:

As these amendments come forward, it seems déjà vu when we had a final vote on the Pittsburgh Works legislation. I had asked vociferously to recommit the Pittsburgh Works bill just for this reason. Is that we keep discussing it and discussing it. I thought that you know Councilman Udin fine vote it up or down. Well this body did vote it down unfortunately. Now it is going to be on a referendum. I guarantee it is going to be on a referendum and I guarantee it is going to pass too. But for us to spend so much time in making Councilman O'Connor's legislation if not identical to Pittsburgh Works I think is fruitless right now. We already went there, done that. Okay. We done that.

I would say out of deference and respect for Councilman O'Connor as it stands by itself, I would say let the bill be voted up or down on its own merits. Let

the Pittsburgh Works referendum go through with the 35 with all these amendments here that will be part of the referendum. That will come right back to us. That will come right back to us.

So out of respect for Councilman O'Connor for the work he put in, the post agenda he set up, he did get union officials to the table. I thought it was an excellent post agenda. I appreciated the fact that they were there, that it was good information. I appreciate the fact that the city, the unions, etc. have got like a kick start into making something happen to increase diversity among this rank to help City of Pittsburgh residents, etc., etc., etc.

I am only going to give commendation to the efforts that I see so far, not necessarily looking back but to say what you have so far. Where we are going isn't a good direction. I committed to Councilman O'Connor when he came by my office and he did it that way before it got to the table. Before it was introduced to let me know that he was working on this. I had said look, Bob, I will support whatever legislation is legally sound and can move us in the right direction and that means if Councilman Ferlo has a 25/10 like a report back to Council, I supported that. I support you, I support Pittsburgh Works. I am supporting it all just to get people to work.

But I think that we are getting into a really just a very fruitless deliberation when we try to amend, in fact I am not going to amend Council President O'Connor's bill. I said I would vote for his bill as is. I voted for Pittsburgh Works as is. No amendments, as is. I will vote for your bill as is, out of respect. Whatever is needed to move us forward I

am on board. But I am not going to sit there and dabble over Pittsburgh Works stood for one thing and I told you that at Standing Committee, one thing. I am not going to quibble over yours, I looked at it and it is fine.

Mr. Udin:

Call the question.

The Chair:

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Ricciardi Mr. Udin

NOES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Onorato
 Mr. O'Connor
 (Pres't)

AYES Two NOES Seven

The amendment has not received the legally required number of votes, and is defeated.

Mr. Udin:

Thank you. One of the things that is a shortcoming at the table whenever we discuss these issues and I think it was probably highlighted to some extent in the previous discussion is the city has no data from the contractors that comes to the city

that explains and defines the number of people who are working on construction projects. Whether they are residents of the city, if they are women or if they are minorities. There is nothing in place and nothing in Mr. O'Connor's bill which requires contractors to submit employment data to the city so that we can tell who is working and who is not whether or not they live in the city.

The intent of this amendment is to require all contractors and subcontractors on major construction projects funded in whole or in part by city funds or value shall be required to submit to the city monthly employee data sheets which identify name, address, municipality, zip code, race, gender, trade and skill level for all construction employees. I would add that there is already in place on projects that are funded with public funds that contractors are required to keep this data but the problem is that it is not submitted to the city. There is no consistent requirement for what they have to do with the data when they keep it. So some contractors keep it in their file drawers, other contractors have the construction manager to keep the data, some contractors keep the data to the Controller's Office, other contractors don't. There is no consistency in the submission of employment data by contractors that are funded by the city and the intent of this legislation is to correct that problem.

Mr. Ferlo:

Again, I think there is a complicated legal issue here about what we are allowed under law to ascertain by way of the information that the amendment is suggesting. I think it

basically is intended to undermine the cooperative spirit of the resolution that is before us. I would ask that this be submitted as a separate resolution of law so that we can talk about it, bring various individuals to the table including the Controller's Office and find the way legally to ascertain additional information that is being sought.

I do not think it is appropriate to amend the resolution that is before us today. If it is by a separate resolution, I would like to see a number of individuals brought to the table including the authorities, the URA in particular and the Controller's Office and we begin to talk about what federal law requires like for instance information is collected under the Davis Beacon Act (phonetic). Although it does not involve I believe race, and there maybe other issues that we can look at. But I think we should look at it comprehensively whether it is construction projects, whether it is TIF related projects, as Councilwoman McDonald had introduced, and look at it as a comprehensive approach. I just think it should just be by separate resolution.

The Chair:

I would also ask the sponsor to put in a separate resolution for a number of reasons. Legally I believe it can go through. I think we need to ask the questions. But also to support our initial bill, if people are hired how many are hired and are they working in Allegheny County? So I believe if the contractors --

Mr. Udin:

How will you know?

The Chair:

Excuse me. That is what I am asking. We need more than just city contracts. If city residents the new hires that everybody has the guarantee they will hire how do we know where they are presuming they are in Allegheny County? So I believe I support you on the initiative, but I believe it has to go further than just the city, it has to be tied in with the county. Where our city workers are working.

Mr. Udin:

But your bill deals with the city. Your bill has no way of knowing whether or not your goals will be met because the contractors are not required to submit data to you. How will you know whether or not your goals are met?

The Chair:

I am asking you to submit it so that we bring the contractors in, the Law Department and the county. Because don't forget my bill they guaranteed us to keep apprentices in Allegheny County. So if 75% of those apprentices are working in Allegheny County and 25 in the city, we are doing okay. But if it is just the city we won't know if they followed up in Allegheny County. So, I believe --

Mr. Udin:

So what is the problem with asking them to submit data to the city?

The Chair:

I believe it doesn't go far enough.

Mr. Udin:

So, let's take it further. Let's vote this in and then take it as far as you want to go.

The Chair:

Well we have legal questions I believe Council members have legal questions so if you really want to get things done, reintroduce it, bring them to the table tomorrow.

Mr. Udin:

I really want to get things done, that is why I introduced it as an amendment.

The Chair:

And I believe it should — you have heard from many colleagues that if you really want to get something done, bring them to the table and we can support this and expand on it.

Mr. Ricciardi:

Yes, thank you. We have a very professional efficient Controller's Office. However, I was somewhat surprised that a gentleman that I respect very much, Mr. Kevin Forsythe sat here in Council Chambers last week that some of the records of employees did not reflect all information, including place of residency. I just think information is power in order to make good policy decisions for in the future that it is very good to get a profile. A profile on exactly who is benefiting from tax dollars and I think from there we can move on.

I think this is non-threatening, the amendment that has been put before us. Matter of fact, I think the entire — we once asked the City of Pittsburgh to do this in terms of some of the variables we were looking at several years ago. So I don't have a problem with this and I think this is hopefully an easy one for all of us to vote for. Thank you.

Ms. McDonald:

Procedurally we are back to amendment number two of my discussion. At a deference to Councilman O'Connor and the work that he put in, I choose to support just to support the resolution as is. I agree these amendments are very meaty. It is no different than we have a TIF, a tax increment financing district, it is an involving thing. It is introduced as is, but it is always amended and amended and amended as development increases. So just because it is not amended today doesn't mean that these amendments cannot be made in some other venue such as a separate resolution amending the bill. I would rather have that so we can have adequate discussion on Wednesday, not Tuesday before a final vote.

Even Councilman O'Connor, I tell you what, Bob, if it is my bill I am not going to be happy. I don't care any of you all, eight of you all step all over it at the last minute, I am not going to be a happy camper. I would have expected you all to have come to me earlier, before it comes for a final vote. So just out of deference and respect, because I expect to get the same treatment if I introduce a bill that you all would come to me prior to and say I have some serious amendments that I need to make or I can't vote for this unless this is amended as such. Just out of courtesy.

But the amendments are valid from making the authorities do their job and have it across the board from the goal of 35%, from submitting data which I agree is lacking in the files of some of our union halls and how to do that. I mean the bill that I introduced last week and will be discussed tomorrow because I am going to hold a post agenda or a public hearing that addresses how is that done? Where do the forms go? What does the form look like?

So, again just out of common courtesy to Council President O'Connor who wrote this up, convened the meeting had an excellent one, I am going to vote as is. But I feel that Councilman Udin because these are your amendments, I think you should take the credit and introduce them before Council so that we can at least have adequate discussion. I would hope that Council members would approve them by separate resolution to amend this bill as is. We amend ordinances all the time. Let this go in as is as courtesy, and then we can amend it as soon as next week if you want.

Mr. Udin:

Mr. President, I have all the respect for you and the courtesy that I can muster up from the debts of my soul it has absolutely nothing to do with you personally. You are not in construction the last I heard, you are a public servant and an excellent one at that. I would hope you would not be going into construction. I would hope you would remain a public servant. So it has absolutely nothing to do with President O'Connor. It has to do with underemployed and unemployed people out there in our city who are residents of this city who would like to

participate in the construction opportunity that is before us. I in no way am disrespecting our President of Council, I am trying to make opportunity for people who need it.

Call the question please.

The Chair:

Any other questions? I would like to -- I will support this if there is a way to add work done in Allegheny County, all the construction work done in Allegheny County.

Mr. Udin:

It is so amended.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

NOES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato

AYES Three NOES Six

The amendment having not received the legally required number of votes, is defeated.

Mr. Udin:

Thank you, Colleagues. What you have before you is an amendment, directing the Mayor's Office of Business and Employment Opportunity to operate a program of technical assistance and support to construction businesses owned by minorities or women who are residents of the City of Pittsburgh. Such support will include but not limited to estimating, bid preparation, blue print reading, bid and performance bond acquisition, and any other business management support which needs identified by the minority and women owned construction contractors.

The purpose of this resolution, Mr. President, is to provide the technical support to minority and women owned contractors to sure up their capacity to participate in this opportunity.

Mr. Ricciardi:

Point of order. There is a different amendment before us than you are reading. You are reading number five and there is number four before us.

Mr. Udin:

Did you pass out number four?

Mr. Ricciardi:

You are reading number five.

Mr. Udin:

I am sorry. Thank you.

Resolution directing the Department of Personnel to operate or contract out a vigorous, aggressive city-side construction employment recruitment assessment and referral program which

targets under an unemployed city residents and women. Pre-apprentice programs will be coordinated to cooperate and share information and upgrade construction training curriculum. Accepted trainees will be supported by local, state, and federal or foundation funds to provide compensation to qualified trainees not less than a livable wage for the Southwestern Pennsylvania Region. Social services, childcare, transportation, drug and alcohol referral programs will be provided or contracted out.

This amendment, Mr. President, grows out of what I heard at the table and what I have observed at other times relative to the administration's current program of recruitment of personnel to work in the construction effort. In my view it is a less than adequate response for the need for a strong and vigorous recruitment and outreach effort. It is not well coordinated, it is not sufficiently thorough. It does not reach out far enough into the community to get the kind of talent that we can get in this community if we made a deliberate and concerted effort to do so.

In the absence of that kind of a strong coordinated centralized recruitment system in the city, what we get is kind of like we first attract the low hanging fruit. Some of the first people who come before the apprentice programs and pre-apprentice programs who are people are not prepared or ill-prepared to enter the field of construction. It takes some serious recruiting to reach the people who can be reached and who if adequately reached and targeted would be good candidates for the pre-apprentice programs.

There are no centralized supporter services provided for this effort and the

effort that is currently going in the Personnel Office is simply inadequate. I think they have planned to have a telephone number, they have some little cards that they have made up, they have a couple of mailings that are going out. But it is just and I am not saying this to put down the effort that is being made in the Personnel Office by Barb Parees and Ted Washington and Ron Painter. I think they are doing a stellar job with what they have. I frankly think though that the effort is larger than that. Even the apprentice programs admit that they have not been successful over the months and over the years in effectively recruiting people into their apprentice programs. It requires a stronger effort. This is an intent to require the Personnel Department and the administration to operate a more effective centralized outreach effort.

MS. MCDONALD seconded the motion for discussion.

Ms. McDonald:

From my understanding in reviewing the tape that Director Parees as well as others, Ms. Kirby, Mr. Ted Washington, Linda Couch, Rich Garland, they were all at the table and they discussed the type of recruiting and the outreach that they are doing through this either telephone number 471-JOBS or other means, going out into the community. In fact I plan on being out in my community July 21st when they bring this show to Homewood because I want to make sure people are there, that they show up, that there is interest.

But I think this is a type of amendment is not going to hurt because it is already in effect, it is already in effect.

It is already being done. I think the credence for Councilman Udin to amend the legislation to include this makes it go beyond the booming construction. That it will be ongoing forever and ever into whatever. That this needs to be continual, not just short lived now because of the construction boom but that it moves it forward into the years to come. Even when there is not a construction boom, they still need to have the outreach there. Because as I said before, when your numbers are so low, 5% minorities in some of the union halls, the only way you are going to increase them is to have these type of outreach efforts to increase the numbers coming in the doors.

So, this to me is a very benign amendment and it actually adds substance to what can happen in the years to come. The only concern I do have, Councilman Udin, in all due respect, it says social services, childcare, transportation, drug and alcohol referral programs will be provided or contracted out. I do believe that that phrase will tie the hands of our programs that already administer pre-apprenticeship training. If they don't have the monies -- you are basically mandating that they provide this or contract it out. Some kind of way there has got to be some money, if they don't have the money, then what do they do? I don't want to tie the hands. I want them to do as much as they can. I want them to continue to be aggressive and seeking funds for these very necessary services to make a person gainfully employed. But unfortunately if the money is not there, I don't want them to have to shut the door and say well by ordinance we can't accept you because we don't have the money for childcare or transportation. I don't want that to be a stumbling block. I would like it to happen,

but if it doesn't happen I don't want it to really tie their hands and turn people away for some reason because by putting it in it becomes a mandate. The monies may not be there. But it is an important component.

Mr. Hertzberg:

I realize that you wrote this bill but I don't know how this amendment sits with you. But reviewing it and I haven't had an opportunity to do it until just now but it does seem to be an amplification of a provision that is already in there on the second page of the bill where it says the City of Pittsburgh through the Department of Personnel, through its various job training and employment initiatives will implement existing programs and act to devise strategies to ensure that city residents are qualified and given the opportunity to overcome bars to employment.

This amendment I think is the same thing I think only we have specifics where the bill as it sits is kind of general. This really specifies what exactly personnel will do to try to overcome some of these bars. I think this is the kind of thing we need to do outreach and recruitment at the front end.

I think Mr. Onorato has pointed out several times, this is something that needs to be done. I think this resolution gets right at that and specifies by using the term pre-apprentice program that is the kind of thing that needs to go on to recruit and reach out to some of the people that might not be qualified for the apprentice program now but can become qualified through this kind of program.

Mr. Cohen:

Mr. President, I agree with what Councilman Hertzberg just said. I believe that this is something that I can support and it really makes more specific the needs of to be able to make sure that every city resident has an opportunity.

I mean there may be the job opportunity waiting for that person particularly an unemployed or underemployed person, but unless that person has the information and has the assistance to get to that point, then it is really useless.

So this is an amendment that I could support. The only thing that is missing and obviously we are not talking about budget at the moment, but it doesn't have a price tag attached to it. I think that is something that we can do as a second step, but we need to make sure that the Department of Personnel has the money to be able to operate an aggressive program like this. But as far as the program is concerned, I think this would be actually helpful rather than harmful.

Mr. Onorato:

I like the intent of the amendment, I think it does address what I have been talking about which is addressing the problem on the front end, but there is only one problem. When I read this amendment, it sounds like it could be a mission statement for Conley Trade School. I think we go right back to the same problem, which no one wants to address or ask the question because we are afraid of the answers because it is a sacred cow. That is what exactly are we getting for our money out of that trade school?

We basically are going to duplicate services because we all know that we are not getting the services we should be getting out of the trade school that we fund both as taxpayers both locally and through the state, as state taxpayers.

I get more and more frustrated you heard at the post agenda I started the conversation when I personally in my opinion created an F on what is coming out of there. But you heard it from three other people at that table saying they would agree they would give it an F and some were from the individuals that participate in the committees that are doing the outreach programs.

I think this is something we have to look into. I also think it is currently addressed in your bill, Mr. President. You talk about the Director of the Department of Personnel implementing these programs and doing the outreach, which I am all for. But I don't want to lose site that your bill, that section this amendment, I think stresses the point that I keep bringing up. That is that we got a current problem with the system that exists out there when it is trying to prepare our people, our residents of this city to do trades that want to come out of school and get into the trades. Something is not working and we need answers as to why.

I think that will be an appropriate future audit and I look forward to working with the Controller's Office to see if he can possibly get some information out of the School Board addressing that particular issue.

Mr. Ferlo:

Assuming this amendment was a sincere effort to actually do anything, I would strongly suggest that it be introduced as a separate resolution because I think we need to have a lengthy discussion and better understand both the good and the bad of all that we are doing. Whether it is the SPOC, the Single Point of Contact Program, whether it is the various JTPA dollars that we receive and what we are doing with them, there are targeted programs now under the Welfare to Work situation. There are some foundation dollars, it is not clear to me always how they are being utilized by the administration. I think all of these points expressed in amendment four are good but I think it should be done by separate resolution. I don't think it directly relates to the proposal that is before us, the final resolution. I think it should be introduced as a separate and distinct resolution so that we can bring all the players to the table including Conley or anybody else. So we can have that discussion and see in a more comprehensive approach as Councilman Udin has pointed out here how we can make some better progress. I just don't think it should be tacked on haphazardly in this resolution that is before us today.

Ms. McDonald:

Yes, I agree with Councilman Hertzberg that Item Section 1, Item 2, that if you would, Council President O'Connor, amend by eliminating that and substituting with this if there are the votes here which does really -- it does not change the content of your bill, it only expounds, elaborates.

But I would also like to make a suggestion to Councilman Udin if he is receptive to this. That to just accepted

trainees will be supported by local, state and federal or private foundation funds to provide compensation of qualified trainees not less than a livable wage for the southwestern Pennsylvania region and social services, childcare, transportation. Just put an and in there and eliminate will be provided or contracted out.

Again, I know the Black Contractors Association does pre-apprenticeship training. I don't think they provide transportation, drug and alcohol, childcare, but they do a darn good job at pre-apprenticeship training within the realm of what they receive. So, if you could just put an and on there because these social services are predicated upon funding. If the -

Mr. Udin:

Put an and where?

Ms. McDonald:

Right before social, like where you have the period there after region, and social services.

Mr. Udin:

So amended.

Ms. McDonald:

Thank you. And then delete will be contracted or - will be provided or contracted out.

Mr. Udin:

So amended.

Ms. McDonald:

Thank you.

The Chair:

Okay. With no other discussion I will certainly accept this as a friendly amendment. Actually my assistant Doug Shield worked on this. It had something very similar but the legal words from our department, the word bars was put in there to kind of umbrella the whole package. So I certainly would accept Mr. Udin being more specific. That was our original intention and I think he spelled it out well. So, it would just enhance the second part.

Roll call vote.

Mr. Hertzberg:

Point of order. Then are you accepting this number four as a substitution for your number two or added?

The Chair:

Added to it.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Hertzberg

Mr. Ricciardi

Mr. Diven

Ms. McDonald

Mr. Udin

Mr. O'Connor

(Pres't)

NOES:

Mr. Ferlo

Mr. Onorato

AYES

Seven NOES

Two

The amendment having received the legally required number of votes is passed finally.

Mr. Udin:

The next amendment is one that was erroneously read previously. It goes to the difficulty that small Pittsburgh based, minority owned and women owned companies the difficulty they have with competing with the big guys and the need that many of them have for technical support. It is note worthy I think that of all of the Plan B contracting that has been lead thus far none of the or very few, perhaps one of the contracts the prime contracts have been bid on by minority or women owned companies. One of the reasons is because they lack the internal capacity to run with the big dogs. The intent here is to increase that capacity by having the Mayor's Office of Business and Employment Opportunity to operate a program of technical assistance and support to construction businesses owned by minorities or women who are residents of the City of Pittsburgh. Such support will include but not be limited to estimating, bid preparation, blueprint reading, bid and performance bond acquisition and any other business management support needs identified by minority and women owned construction contractors.

The Chair:

Any questions?

Ms. McDonald:

Okay. On draft number 10 for Pittsburgh Works, that was my - not draft

number 10, draft number 9 of Pittsburgh Works, there was a provision to have a one source, one stop shop so to speak for technical assistance.

I took issue with that because there are more than one technical assistance programs out there that help not only an employment for the neighborhood employment centers, but also for business development. We have the Black Contractors Association situated in Homewood that should be like a library. You should feel a homecoming there. If you are a minority or women owned business you should feel a homecoming there because you are going to get whatever you need to become very viable and to grow as a successful contractor. That includes bid preparation, estimating, blueprint reading, bid and performance bond, they do it all. But we also have other entities that directly provide technical assistance to many minority and women owned firms but primarily women owned - minority owned firms and that is through the minority enterprise corporation. They operate like a workshop over 12 weeks, it is called SBA, I forget what it means, Small Business Assistance, I don't know what it means, Micro business. MBA, the MBA program. But there are other entities out there.

I really feel uncomfortable again with having a one stop shop. To complicate it, it says that the Mayor's Office of Business and Employment Opportunities is to operate a program. I don't want the government operating a program for technical assistance when there is already entities out there that do it quite well. They are in the community, they have that independence to do whatever is necessary. I think the

government should support the technical assistance firms that are already out there. If anything, I would hope that not even just the Mayor's Office of Business and Employment Opportunities, but the city will support technical assistance, programs and entities that help construction businesses owned by minorities and women to grow.

So, I do have a problem with this and it is in line with the other concern I had with draft number 9 to all do respect to Councilman Udin.

Mr. Udin:

The specific needs addressed in this amendment come directly from the black construction, the Black Contractors Association. That is specifically what they have said that they would love to be able to provide. We give the Black Contractors Association the responsibility for providing these technical assistance services, but have not given them the money to do it. So they do not have the funding to provide these technical assistance services.

The other organizations that Ms. McDonald mentioned are profit making organizations and they have been objecting to the city for nonprofit providing these services because of pure profit based competition motifs. We can't let that be an obstacle to providing technical assistance to minority contractors. How can anyone who says they support minority contractors getting access to the work be opposed to providing them with technical assistance? A one-stop shop doesn't prevent them from going to the other technical assistance organizations. It just provides another source that is provided by

the city or a non-profit organization so that they can access it without having to pay some of the large retainer fees that some of these profit making organizations will charge them.

We need to remove the obstacles and this is intended to remove the obstacles. There is nothing untoward in this amendment that would prevent those profit making organizations from continuing to do business.

Ms. McDonald:

I don't know what profit making businesses are out there besides EXICO and they do a tremendous job in developing businesses. In fact depending on where you are in terms of your business development, it could be like the premiere source to go to. They get it done. When they have a business plan it is beautifully done and it is expeditiously produced. So, between EXICO and other entities BCA, MEC, and I am probably forgetting others that are out there, I think we need to, I agree with Councilman Udin, we do need to support them.

But the way the resolution reads, and believe me many of them are not profit making, they charge fees to offset their costs, but they are not out to grow and make a profit. They are only out to provide assistance. But the amendment reads, resolution directing the mayor's Office of Business and Employment Opportunities to operate a program of technical assistance. I don't want the government to do that. It is the way it is worded. Maybe to support programs of technical assistance, but not to operate. I don't think it is government's job to actually operate this. I feel very

uncomfortable with them getting a hold of this. I would rather it say to support these technical assistance programs.

Mr. Hertzberg:

Thank you. Mr. Ferlo stepped out of the room, but I think something that he said about most of these amendments is also applicable to this one. That is, this is not the topic of the bill that it is seeking to amend. The bill the jest of that talks about building trades and increasing employment, outreach. This is a totally different topic. Unless you as the original sponsor want to increase the scope of this bill, I am unwilling to do that by voting for this.

The Chair:

Again, I would suggest this be reintroduced because a couple of questions I have, a lot of questions -- looking at the spirit of it is one thing, but like who is going to administrate it? How much is it going to cost? Do we really want with all do respect to the Mayor's Office teaching people how to bid? I think going further to find the right element to support this, I would be in favor of it. But I would certainly need more information similar to what cost -- you know we are looking at the high tech center, the Regional Alliance, all those -- the Allegheny Conference. I believe this should fall under their realm. I would certainly be glad to support it at another time.

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Udin

Mr. Ricciardi

NOES:

Mr. Diven
Ms. McDonald

Mr. Hertzberg
Mr. Onorato
Mr. O'Connor
(Pres't)

AYES Three NOES Five

The amendment having not received the legally required number of votes, is defeated.

Mr. Udin:

Final amendment, Mr. President, and thank you for your patience with all of these amendments. Covered contractors who fail to demonstrate good faith efforts in hiring city residents, minorities and women may be subject to sanctions which may include withholding payments, termination of contract, and/or and the contractor banned from future contracting with the city. Now that is not to say those who fail to meet goals, it just says those who fail to even demonstrate good faith.

The bill before us, 1766, is essentially like the Memorandum of Understanding and the Mayor's Executive Order based on good faith. There is nothing in the bill or the executive order or the Memorandum of Understanding, which speaks to the question what happens if a contractor decides to ignore the bill, to ignore the Memorandum of Understanding, to ignore the executive order? Where is the strength? Where are the teeth in the bill that can provide the city with some options for those

contractors who simply recognize that it is a toothless tiger and turn their back and walk away? This provides some teeth to the ordinance by giving the city a number of options at their disposal to force at least a good faith effort.

MS. MCDONALD seconded the motion for discussion.

The Chair:

Any discussion?

Again, I certainly support the effort. In my original bill we had a \$5,000 fine who we are not meeting these criteria's. Some of the problems with it and maybe this can work out. I wish we had a legal opinion because a lot of the work being done would be bond work so you can't pull out the bond once it is signed. These are some of the legal things but I will support it because you are saying it is giving the Mayor's Office the ability to either withhold payments or terminate contracts if they aren't doing a good faith effort.

Ms. McDonald:

Point of order, I too support it. It does give it teeth. President O'Connor, if you could please make a motion or are you going to add this. Is this going to be added as an amendment, this will be point five?

The Chair:

Right.

Ms. McDonald:

This will be point five or section three.

The Chair:

Is that how you see it, Mr. Udin?

Ms. McDonald:

Yeah, it should be a separate section.

Mr. Cohen:

Thank you, Mr. President. I support the amendment to add some teeth to the bill. I would just ask that Councilman Udin work with the Law Department on this one. I question whether we can ban a company from future contracting without specifying exactly what violations would require that. Perhaps it is saying that someone who does not engage in these good faith efforts is not a responsible bidder and therefore could be banned from future contracts.

So, I just ask that Councilman Udin work with the Law Department on this if any future amendments are necessary then I am sure we would be receptive to them. But it is just to make sure that they are legally correct.

Mr. Udin:

I will do so.

The Chair:

Would it be safe to say in conjunction with the Law Department's wording -

Ms. McDonald:

Point of order, we are voting on this as a final so we need to have the exact

language of what we are voting on and I think the Clerk's Office needs this. To Councilman Cohen follow up to your suggestion, I believe we can keep withholding payments, termination of the contract may be instead of saying in the contract or banned from future contracts with the City of Pittsburgh, to eliminate that and to say there will be other sanctions or remedies as determined by the Law Department, our Solicitor's Office.

Mr. Cohen:

None of us here including myself really know the particulars of the law when it comes to terminating contractors. All I am asking is I don't think it needs to be said in the amendment, but I am just asking if the sponsor which he has already agreed to do is run by this Law Department. That is fine with me if the Law Department suggests amendments, then of course we can always come back.

Ms. McDonald:

Yeah, but we are voting on this.

Mr. Cohen:

I understand that.

Mr. Udin:

It can always be changed.

The Chair:

Again, you want to look at the last word. If you went through to the minorities and women may be subject to sanctions, penalties --

Ms. McDonald:

And other remedies.

The Chair:

Maybe according to the Law Department's final word.

Mr. Udin:

Consistent with the current law.

The Chair:

And then that way we wouldn't have to get into -- I think we are on fine line with the future contracts. Although I agree with it, I don't know if it legally can pass muster.

Mr. Onorato:

I thought that the good faith effort was reviewed by the MBE committee, whatever the new letters are now. The committee during the bid process and they had to come forward with their plan to meet the so-called goals of the executive order. I don't understand and if they didn't meet the good faith effort at the beginning, that is where they wouldn't even make it to the end result.

The Chair:

Well, I think once they did you know and let's see if they are low bidder or whatever, or out of state or whatever. If they don't comply with a good faith effort, we don't again have much alternative, outside of going to court I guess.

Mr. Onorato:

The way I read this amendment and I am only speaking for myself, this is my opinion, I am not speaking as a Solicitor for the city, my opinion. With everything I have read and heard for the last three years about the current law, I think this amendment is unconstitutional and I am going to be voting no. I don't know how they can ever implement this.

Mr. Diven:

I would venture to say that if we use the term lowest responsible bidder if a contractor comes out. I am not a lawyer so excuse me if I am getting this wrong. But if we have a contractor that has already demonstrated bad faith efforts in complying with ordinances with the City of Pittsburgh, then they can be deemed an irresponsible bidder. We would have the right to reject their lowest bid. I don't see a problem with it. I would hope that the Law Department could give us clarification on that though.

Mr. Ricciardi:

I need to vote what I believe is right and what I have known to be true in the past several years. I am very proud to stand by the previous amendments, however, at the PWSA there was an issue regarding a contractor and his participation in our MBE/WBE program. There was a memorandum that was built on principle banning the contractor or making the threat of banning the contractor for future work and we did not do well in court. I don't want to get into specifics of that particular case, because the contractor then saving the PWSA from further embarrassment we were able to work out something that was amicable to both parties. But knowing what occurred in the

past and being a supporter of the bill that Mr. O'Connor has put forward to us, and he was kind enough to let me co-sponsor the bill. The five previous amendments even if all of them weren't passed, I think two of them passed, I believe the bill however still has validity within probably both the courts and public opinion and public policy.

But I am very uncomfortable with this and from what I know from the PWSA this amendment does raise some red flags and probably needs more discussion, probably needs more discussion tomorrow. I don't feel comfortable voting for this amendment and to be perfectly honest with you, Mr. O'Connor, I don't feel comfortable voting for your bill with this amendment. I need to stay to my convictions and I need to stay with my principle when I vote for a particular bill. So I am voting no on this amendment. If it passes, I will have to rethink my position for the entire bill. I know that is what occurred at the PWSA. It was a web.

The Chair:

We had in the original bill actually a dollar figure penalty for people who did not comply and the Law Department asked us to remove it. So, if you want to remove this until the Law Department can come up with stronger teeth -

Mr. Udin:

I think that has been, Mr. President, provided by amending the language to say consistent with current law. If in fact the provisions of failure to demonstrate good faith is not a basis for banning someone from the city because of the law, then this says that this cannot be

done. But there are some circumstances under which the city has a right to either withhold a payment. There are other circumstances under which they have a right to terminate the contract and there are other circumstances under which the city has a right to chose not to contract with the contractor in the future. It doesn't require the city to do it, it gives the city the option to do it within the law, within the law.

The Chair:

Mr. Ricciardi, do you feel that is more satisfactory or are you still concerned?

Mr. Ricciardi:

Once again, I am staying firm with my belief and that is that I understand what is in the law. But I already know what occurred in the past and Mr. O'Connor you worked hard on your bill. I am not here trying to sway anyone's vote, I still feel uncomfortable with this wording that is in the bill. So, it is your call.

You are the sponsor of the bill I feel comfortable with the other amendments. I feel comfortable with Pittsburgh Works legislation. I am still standing next to that and I know what Mr. Udin is doing and it is very admirable. I think he has made some headway in this, but this particular bill of banning raises nothing but issues. Let me tell you what we went through with the PWSA big time and I don't want to have to go through that again.

Mr. Cohen:

I have maybe just a way to resolve this as a friendly amendment given

Councilman Ricciardi's experience, which I think is illuminating to us. Is perhaps, Councilman Udin, you would go along with taking out that portion the banning from future contracting maybe or maybe not, but what I would suggest is maybe -

Mr. Udin:

It is deleted.

Mr. Cohen:

Great, I think that will make it happen.

Mr. Udin:

It reads covered contractors who fail to demonstrate good faith efforts in hiring city residents, minorities and women may be subject to sanctions which may be consistent with current law, including withholding payments, and termination of the contract.

Mr. Ricciardi:

Again, I am not trying to throw a monkey wrench into this, but -

Mr. Udin:

If he ain't voting for this, I am putting it back.

Mr. Ricciardi:

That is what I am saying. Don't take it out because once a contractor performs work, once you have a contractor actually do the work up front, you owe the money. I mean you owe the dollars.

The Chair:

Actually I will be voting because of the fear we had, the Law Department told me to take out penalties. I will vote no because I think we have come pretty far. Also, Mr. Udin, I think it gives you plenty of time with the new bill Ms. McDonald will be introducing tomorrow. If we have a lot of time to talk to our legal people if we can add it to that bill, we can certainly add it to this later on.

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Udin

NOES:

Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Four NOES Four

The amendment not having received the legally required number of votes, is defeated.

The Chair:

Are we ready to move onto the bill? Did we read all the bills?

Any more discussion on the bills themselves?

The bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

(Mr. Onorato and Mr. Udin voted no on Bill 1766)

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1801:

Report of the Committee on Public Works, Water and Environmental Services for June 30, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1753:

Resolution granting unto Michael J. Septak, Allegheny City Electric, Inc., 1139 Woodland Avenue, Pittsburgh, Pennsylvania 15212, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a planter on the sidewalk area of 1201 Woodland Avenue and a stoop and handicap ramp on the sidewalk area of Stayton Street, in the 27th Ward, 1st Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All those in favor of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Six** **NOES** **None**

Bills having received the legally required number of votes have passed finally.

MS. McDONALD PRESENTED:

Bill No. 1802:

Report of the Committee on Housing, Economic Development and Promotion for June 30, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1760:

Resolution authorizing a 1999 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh will transfer \$3,531.27 to the City of Pittsburgh to be used by the Department of City Planning to fund community development corporations. Said funds will be deposited in the Community Based Organizations Trust Fund.

Which was read.

Also,

Bill No. 1053:

Resolution adopting Amendment No. 2 to the Center Triangle Tax Incremental Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh, and Making Certain Findings.

Which was read.

Also,

Bill No. 1054:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the Financing, Monitoring, Implementing and Terminating of the Center Triangle Tax Incremental.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Six NOES None

Bills have received the legally required number of votes are passed finally.

MR. DIVEN PRESENTED:

Bill No. 1803:

Report of the Committee on Public Safety Services for June 30, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1683:

Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Emergency Operations Center at a total cost not to exceed \$500,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken and were as follows:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Six NOES None

Bills have received the legally required number of votes have passed finally.

MR. FERLO PRESENTED:

Bill No. 1804:

Report of the Committee on Engineering and Construction for June 30, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1746:

Resolution amending Resolution No. 233, effective May 13, 1998, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Design and Construction of the Grandview Photography Park in Mt. Washington; and providing for the payment of the cost thereof," by increasing the total project allocation by \$70,000.00 from \$27,000.00 to \$97,000.00.

Which was read.

Also,

Bill No. 1747:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Grandview Public Space Improvements; at a cost not to exceed \$150,000.00.

Which was read.

Also,

Bill No. 1748:

Resolution amending Resolution No. 272, effective May 7, 1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Bridge Inspection and Maintenance Program; and providing for the payment of the cost thereof," by increasing the total project allocation by \$55,000.00 from \$85,000.00 to \$140,000.00.

Which was read.

Also,

Bill No. 1749:

Resolution amending Resolution No. 278, effective May 26, 1998, entitled "Providing for a Contract or Contracts, or use of existing Contracts in connection with the Restoration of Seven (7) Tennis Courts at Schenley Oval, the Renovation of the Playground in Frick Park at Beechwood Boulevard, the Renovation of a Recreation Area at Hawthorne Grove in Highland Park, the Restoration of Victoria Gardens in Highland Park, and for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof," by increasing the total project allocation by \$39,499.00 from \$620,000.00 to \$659,499.00 and by correcting the Sub-Class within the account.

Which was read.

Also,

Bill No. 1750:

Resolution further amending Resolution No. 838, effective January 1, 1998, as amended, entitled "Resolution adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 1998-2003 Capital Improvement Program," by increasing the "Parks Reconstruction Program" by \$39,499.00 from \$620,000.00 to \$659,499.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

Mr. President, with all the hubbub last week I didn't catch why they are increasing this allocation by \$39,499. Can somebody just explain to me which of these items is being increased? Does anyone remember? This is 1749 and it is either the tennis courts at Schenley Oval, the playground of Frick Park, the recreation area at Hawthorne Grove in Highland Park or the restorations of the Victoria Gardens in Highland Park. I just didn't know what the reason was.

Mr. Hertzberg:

I think when those were discussed I think Mr. Ferlo had every bill in his committee read and if anyone had specific questions because I had two that relate to Grandview Avenue that I did ask questions on, but I don't think there was anything else.

The Chair:

I would be guessing but I know they had problems at the Schenley Oval tennis courts. But don't hold me to it. There were some things added to the Frick Park the blue slide park.

Mr. Cohen:

That is what my question was.

The Chair:

It could be one or both. I am not sure.

Mr. Cohen:

I thought maybe they were talking about Braddock and Forbes.

The Chair:

No that is finished. This is the blue slide park.

Mr. Cohen:

Ok.

The Chair:

And we are going to keep the blue slides for everybody's information.

Mr. Cohen:

Good, that is the question that I get most often too. As long as it is blue. Thank you, Mr. President.

The Chair:

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. Onorato

Mr. Diven
Ms. McDonald
Mr. Udin

Mr. O'Connor
(Pres't)

AYES Seven **NOES** None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

We have three appointments to the Human Relations Commission and the appointment of the Director of Finance.

MR. O'CONNOR PRESENTED:

No. 1805 A resolution authorizing the re-appointment of Christine Williams as a member of the Human Relations Commission, term to expire April 1, 2003.

No. 1806 A resolution authorizing the re-appointment of Robert McClenahan as a member of the Human Relations Commission, term to expire April 1, 2003.

No. 1807 A resolution authorizing the appointment of Susan Yohe as a member a member of the Human Relations Commission, term to expire April 1, 2003.

No. 1808 A resolution authorizing the appointment of Ellen McLean as a Director of the Department of Finance.

The Chair:

I know Ms. McLean is scheduled to be in front of us tomorrow.

Mr. Udin:

Can you find out whether or not the appointments to the Human Relations Commission fills the complement of vacancies or are there still vacancies on the Human Relations Commission?

The Chair:

We will fill that request. Is it Council's pleasure to bring the three members in front of us, the three appointments?

Mr. Udin:

Yes.

Mr. Cohen:

I think we should, Mr. President.

The Chair:

We will bring all three in front of us. You may want to spread them out instead of all tomorrow.

Mr. Cohen:

Do we have resumes of theirs yet?

Ms. McDonald:

Different subject. Thank you. Two subjects. One, Ms. Renee White and Mr. Omah (phonetic) Shareef were in Council Chambers this morning. My understanding is, is that he wanted or she wanted to speak to Council. I am sure it is about the promotion through their group the Entity is doing in the East End section. It is the UniverSoul Circus. There are pamphlets out everywhere but it is an

African American Circus production and it will be located on the Reizenstein Middle School lot. If you face Reizenstein School on Penn Avenue, it is on the left, the immediate left of Reizenstein School. It is that ball field that people play flag football, whatever.

I want to thank Mr. Rick Fellers of the Business Manager of the Pittsburgh School Board for his assistance and for allowing the group to be able to have the circus there from July 21st through the 25th. I am very proud. This is the first time Pittsburgh has ever been on the list for their tour and they are hoping it will be a success. So, I am hoping that everyone will come out so that it can be here next year again. That is how it comes back.

So, again thank you to the School Board for allowing us to use the lot and hopefully that everyone will come out. The phone numbers Mr. Omah Shareef phone number is 362-1445, and another number that is listed is to the Entity is 241-4050 and there are other numbers but it gets confusing. Those are the only two numbers.

Some of the performances will be from South Africa; France; Paris, France; Kenya, Africa, Chili and South America and Columbia in South America. So there will be excellent acts.

The other issue I wanted

The Chair:

Do you want to repeat the dates?

Ms. McDonald:

July 21st through July 25th. It will be like a big tent. It will be like a traditional circus.

The Chair:

They really have worked very hard.

Ms. McDonald:

It was on HBO too, Mr. President.

The Chair:

I know they worked very hard over the year trying to bring them here.

Ms. McDonald:

I am getting tickets.

But anyway, so I want to thank Mr. Shareef and Ms. White for their efforts in bringing things like this to the Pittsburgh area. They are true Pittsburghers and they believe in promoting Pittsburgh.

The other thing I wanted to address is it seems like anytime I go out of town something happens. In fact, that is one way I know I can get something to happen is to just leave. Something will happen. Last year it was very, very unfortunate. Was it last year or the year before it was the John Wilber dragging? Every year I go out with my family something happens.

Well, this year it is a controversy that involves the East Hills Shopping Center. It is unfortunate. PETRA up in the East Hills Shopping Center has been a God send to that community. They do excellent work. I fund Operation Nehemiah every year and will continue to fund Operation Nehemiah every year. I

wish I had more moneys to give because their outreach efforts are extremely grassroots. They get to the heart and the sole of people and they do an excellent job. Through their school I have testified, through Operation Nehemiah again they do excellent job. It is a car house in the East End section, in Homewood that is an excellent -- you hear no complaints and they are right in a residential area with abutting neighbors. It works out well.

The unfortunate thing is there is a snag in the development of the East Hills Shopping Center. Let me make this clear. With the Mayor coming out and saying I support PETRA as well as other things, well I support the WalMart Project and Gumber and this and that and this and that. I think everyone needs to just be quiet, settle down, let cool heads prevail and come back to the table and rationally discuss what we are going to do.

To make it clear I don't understand -- I do understand now why the Mayor made that point and I will explain this, but what he didn't know at the time of making the statement is that Pittsburgh owns one percent. One percent of the East Hills Shopping Center Development, one. We don't even have to be at the table. Not over one percent. The only reason I am at the table is because of the East Hills residents. That is the only reason.

One percent doesn't mean the difference to me I would move to convey it. But the lion's share is in Penn Hills and secondly in Wilksburg and to any developer that would want to develop there they have to go through Penn Hills zoning, Penn Hills Council, Penn Hills Mayor, Wilksburg Mayor, Wilksburg Council. If they don't agree to it, it

doesn't happen no matter how much me as a City Council member, the Mayor no matter how much we cry and scream it is not going to happen. We have to respect those municipalities as separate municipalities with the same credence, the same level of respect that we get.

Yeah, the city is bigger but you have to respect the other municipalities. That is what they call a regional effort. That is what they call a regional collaboration. I don't understand why comments would have been made without having to discuss this with the municipalities that own the lion's share of this shopping center. I have been working very productively with them. But we came into a snag and again everyone can point fingers. I am about what is best for that community, period. I am not on anybody's side. I want the side that is going to be what is best.

So I have been asking for people to come back to the table, cut the press conference stuff out I don't like negotiating business dealings within the media unless you feel that you don't have any leverage. But I don't like that. I want to make sure that this is a win, win, but I guess it is not a win, win. So, I would like for all parties to be able to come back to the table to hash this out.

It is unfortunate. It is very unfortunate for the controversy for a major black church that does the work that they do to be in the paper like this fighting for something and have Mulugetta Birru who has done a wealth of good for this city and this region to also be at the other end. It doesn't make sense. It does not make sense. I know this, that Dr. Birru has tried his best to make sure it is inclusive.

Maybe there was some snags along the way, I don't know. I just say let's all come back to the table and hash it out again. I mean we ran into a snag at the home depot site. Okay, I remember that.

It is time to come back to the table and to discuss this within reason, maybe there needs to be a third party mediator, I don't know. But I do know this the city only owns one percent. The Mayor knows this now. The reason for the comment which I said I was going to explain where the Mayor supports (inaudible) this, what had happened is that they had acquired it but no one else knew about it at the table, not the redevelopment authority, not Wilkinsburg officials, not Penn Hills officials. They didn't even know that there was an attempt to acquire the property.

Then Dr. Birru goes and files for eminent domain. He files the papers. What the Mayor received was a brief that said yes the Redevelopment Authority filed it, but it was the City of Pittsburgh who was behind the taking. So he was responding to the language within that brief that the City of Pittsburgh was filing for the taking of the property. Yet, the Redevelopment Authority it was signed by Mulugetta Birru not as Director of the URA but as Director of the Redevelopment Authority of Allegheny County. So something went wrong.

He was I think acting in his capacity on the County side not on the city side. I will show I just side-barred with Councilman Hertzberg sits on the board of the URA, I will share with you what I was given and you can look into it. But I would just hope that there would be some clarity that maybe you can get back to me

with some clarity on what went wrong and also enjoin with me in bringing all parties to the table.

The Chair:

Thank you. Any other discussion?

Hearing none, I would like a motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. HERTZBERG moved to adjourn the meeting.

MS. MCDONALD seconded the meeting.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, July 13, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
	Mr. Ferlo
	(Chair)

ABSENT:

Ms. McDonald	Mr. O'Connor
	(Pres't)

The Chair:

Thank you. Good morning everyone. We have a lot of special guests in the audience today. I did want to report that our City Council President Bob O'Connor as well as our Colleague Councilwoman Valerie McDonald unfortunately are out of town on family business and family matters. They will be

back later on this week.

At this time would you all please rise for the pledge of allegiance and please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We are very pleased today to have a young student here who is off on summer vacation, hopefully. His name is Nathaniel Dawson, he is six years old and he is going to lead us in the pledge of allegiance. His mom is no stranger here on the Council floor, she is Terri Jobkar and she is the secretary of Councilman Dan Cohen. And Nathaniel is going to lead us in the pledge of allegiance.

Nathaniel Dawson:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Nathaniel, on behalf of Council President Bob O'Connor we have an official flag of our city government and a flag of our nation. We can get a picture here.

Before we get to public comments from residents who may wish to address Council, we have a number of guests in the audience today.

PRESENTATIONS

Mr. Hertzberg:

The group from Canevin please come forward, the coaches as well as the players from the Canevin Catholic Girls Softball Team. And when I went to high school about ten years ago and participated in athletics, I can remember there probably was no greater accomplishment in high school sports than to win the state championship. You can't do any better. I am sure it is a great feeling. I always aspired to do it, I never did it. These young ladies have done it and I am very proud to have them here in City Council today to honor them with this proclamation.

Canevin Catholic High School is located in Council District Two in the far southwestern extreme in the City of Pittsburgh and it has just been an exceptional high school not only with athletic programs but academics as well. Let me read the proclamation.

MR. HERTZBERG PRESENTS:

No. 1812 WHEREAS, the Canevin Catholic High School Girls Softball Team, known as the Crusaders, coached by Robert Jacoby, and assisted by Tim Fazio, Karen Seitz and Susan Seibel won the PIAA Class AA State Championship on June 18, 1999; and

WHEREAS, the Crusaders are the 1999 undefeated WPIAL Section Champions, the undefeated overall WPIAL Champions and now they have brought home the first State PIAA Championship for girls softball in Canevin High School history; and

WHEREAS, in 1999, the Canevin Crusaders Girls softball record was 25 wins and 0 losses; and

WHEREAS, Canevin's winning team players are:

Robyn DeFife, Sarah Karolski, Kristen Morascyzk, Angela Sciulli, Brandi Harris, Candice Polito, Alisha Sebulak, Mikaela Thompson, Kitty Dabat, Jodi Maxwell, Jackie Pareso, Robyn Pawlos, Brittanny Seibel, Jen Abbott, Keri Meyer, Nikki Scholz and Rebecca Seibel; and

WHEREAS, the Crusaders attribute outstanding pitching and teamwork to their perfect season.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Canevin Catholic High School Girls Softball Team on their undefeated season and on their PIAA State Championship.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate each individual team member for their great achievement as TEAM players, and to encourage them to always be a TEAM player in their journey toward a successful life.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

And in addition to all the team members who are here, we also have the

Head Coach, Bob Jacoby, a Father Al Adams, the school Chaplain, Tim Fazio who is an Assistant Coach and Sue Seibel who is an Assistant Coach. Coach Jacoby, I am sure you want to say a few words and here is one proclamation for you and I have one for all the young ladies. Congratulations.

Mr. Jacoby:

Thank you very much. On behalf of Canevin Catholic High School, the administration, the Athletic Department and the softball team, I would like to thank City Council for honoring these young ladies and their accomplishments for the 1999 season.

For me, a native of the North Side, it is a great privilege to be here and I know Coach Fazio, native of Lawrenceville, it's a great privilege for him to be here too.

This team is a great example of student athletes. The grade point average for the over all team is three point four, which is a tremendous accomplishment. We're extremely proud not only of the athletic accomplishments of these young ladies, but also the academic and the social accomplishments. These girls will make fine leaders some day and maybe some day they will be sitting out in one of these seats in Council. Thank you very much.

Mr. Hertzberg:

Team co-captain Sarah Koralski has a few comments to make.

Sarah Koralski:

On behalf of the Canevin Softball team, I would like to thank City Council

for this award. I would like to thank our fans and parents for all their support and lastly I would like to thank our coaches and softball team for having such a wonderful experience this year and making it so memorable. Thank you.

Mr. Onorato:

Mr. Ferlo, if I could have anyone in the audience today associated with Italian Day and the ISDA please come forward at this time. And as they're walking forward this is sponsored by all Council members.

We have three of us here that have a last name that appear to be a Italian but today and this week everyone is Italian leading up to a week from today which is the Italian Day at Kennywood. So as they walk forward I do want to introduce everyone that came down today. We have Mr. Ralph Harper who is the President, National President of the ISDA, Italian Sons and Daughters of America, welcome Mr. Harper. We have Florence Spagnola (phonetic), the Co-Chair of Italian Day and we also have the other Co-Chair of Italian Day, Alfred Silvio (phonetic). We have Father Franco who will be overseeing the mass on Sunday. This is a three-day event, which you will hear more about. And is there anyone else? I have two other names here. But we do have Mary Hertzberg in the audience here too who has been an integral part of helping to put this together.

I would just like to make a few comments before Councilman Mr. Hertzberg reads the proclamation. And that is I have had the pleasure and the privilege of being part of the ISDA my entire life from my grandfather to my father to me. This is one of those events this triad -- this three day event that goes on that you're going to hear today that it's

more than just rides at Kennywood. This is a great organization that does some great things for some kids that are in need.

I take great pride in telling everybody what the ISDA does here and this might be one of the most underrated events that goes on. Anyway, we can help to promote I think its something we should be proud of because these are the types of things that people should hear about going on with the lodges around here. Just with the other ethnic days too, but on Tuesday the Italians put this three-day event together and I am proud of what we do.

I am going to ask Councilman Hertzberg he's going to read the proclamation now and we will hear from the President of the lodge and hopefully he can expand on what exactly the lodge has been doing and what we continue to do.

Mr. Hertzberg:

It's been my honor to participate with the Italians Sons and Daughters of America including the last two national conventions and work with my wife, Mary, who is very involved. And having spent a couple of weeks in Italy last year, I worked hard on the few words that I do know in Italian. Give me a grade when I get done with this.

MR. ONORATO AND MR. HERTZBERG AND ALL COUNCIL MEMBERS PRESENT:

No. 1813 WHEREAS, the Order Italian Sons and Daughters of America sponsors the annual Triad Celebration of the Church, The Family and the Community; and

WHEREAS, Sunday, Monday and Tuesday, July 18, 19 and 20, 1999 are this year's dates for the Triad Celebration Honoring our Italian ancestors of the past and our Italian American children of the future with this year's theme being "Un Viaggio Coragioso, Ieri e Domani" or a Courageous Journey, Yesterday and Tomorrow; and

WHEREAS, Sunday, July 18, 1999 opens the Triad Celebration with a Mass presided over by the Most Reverend Bishop Anthony G. Bosco, followed by a luncheon with the traditional reunion of family and friends and the sharing of memories and stories; and

WHEREAS, Monday, July 19, 1999, is the Community Day when members of the Order Italian Sons and Daughters of America go to local healthcare facilities and provide an afternoon of entertainment and refreshments for the residents and patients; and

WHEREAS, the Triad Celebration ends on Tuesday, July 20, 1999 with Italian Day at Kennywood Park, a 64 year old tradition that pays tribute to Italian American family values; and

WHEREAS, The Order Italian Sons and Daughters of America takes great pride in hosting, at Kennywood Park, 900 special needs children from many of the area's institutions and homes by providing them with spending money, riding passes, homecooked meals and a fun-filled day.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks National

President Ralph C. Hartford and the Italian Day Triad Committee of The Order Italian Sons and Daughters of America who make the Triad Celebration and Italian Day at Kennywood an annual event. It is through their hard work and dedication that these Triad celebrations of the Church, The Community and the Family are possible.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time we are going to hear from the President, the National President of the ISDA, Mr. Ralph Harper.

Mr. Harper:

Thank you, Alan, Dan all members of Council. I guess since Alan read the proclamation there is not too much for me to say except that we do have this triad celebration that we have every year. We have been doing it now for about 30 or 40 years. Italian Day at Kennywood Park it is our 69th Italian Day held at the park. I think we're about as old as the park old is. But it is a day that we really feel good about.

The triad actually includes a mass celebrated by Bishop Bosco, chaired by Father Robert Franco and on at the Church Hill Country Club where we have a luncheon following.

On Monday, Alan, we're not going to the nursing home this year. We have

Tony Williams chairing that and he wanted to do something a little different in the community. So we're having a carnival type of situation at the Boys' Club in Carnegie where we will have a good time for the kids and prizes and games and so forth.

Italian Day itself is more of a family part of the triad. It is the third part of the triad celebration. And it includes both family and community work. Like Alan had mentioned, I think now for 45 years we have been bringing children out to the park. Those that are institutionalized and get can't get to the park, those kids that really don't live at home and don't have the opportunity to go out with their parents and so forth. So I think it is this year 11 institutions that we have with 900 guests. And what we do is we have a fashion show in the spring to raise the money for this. And while I am at it I would like to thank members of Council because you always have been very good to us in your contribution to the fundraiser.

But it is a day that we hold close to our hearts because if you could just see the look and the enthusiasm on these young people that come out there for the day is just unbelievable. We get stories from the schools, from the different schools that if the children are getting out of hand all they need to do is your not coming to Italian Day if you don't settle down and before you know it is complete order. But it is something that we hold dear to our hearts as far as holding this is concerned because these children are very-- well it's a combination of needy children, broken families and those who are mentally deficient. Like I say we take great pride in it.

This year after working on it for 37 years I feel kind of guilty because I am more or less relegated to going out there that day just to shaking hands. I will probably feel like a politician on Italian Day. But we have a couple of people here that really deserve all the credit in the world for putting it together because it is a big job. They head up a committee of about 130 people and you know that takes a lot of work to keep that many people in line more or less. Florence Spagnola and Albert Silvio do a great job for us and they're chairing it this year and probably will for years to come. Florence has worked on it with me. I chaired before, she was my co-chair person so she is relegated to the top spot now and all the worries and work that goes into it. So I would like to introduce Florence for a couple of remarks please Flow.

Ms. Spagnola:

Thank you. I would like to thank the Council for their kindness and consideration and support for the Italian Sons and Daughters of America and what we endeavor to do for the community and those that are less fortunate than ourselves. Italian Day is a very special place in my heart because these are special needs children and that covers a vast area. They have looked forward to this, as been mentioned and it is so that we have become almost like relatives to them. They have related to us in many ways and over the years it's just a pleasure for us and it is a great and heart-warming event for us. We do it with pride and we try to do the best for each individual. And we thank you again for your support.

Mr. Onorato:

At this time, Mr. Ferlo if we could have all of colleagues come up and take a picture here and Ralph you are right about Kennywood as a disciplinary tool. I used it on my children last night as a matter of fact. I threatened them they wouldn't go if they didn't settle down. Let's get everyone up for a photo.

The Chair:

One to be read into the record.

**MR. UDIN AND MS. MCDONALD
PRESENT:**

No. 1814 WHEREAS, on Friday, July 30, 1999 The Frogs will celebrate its annual Frogs Formal at the Syria Mosque; and

WHEREAS, the Frogs came into existence on May 5, 1910, in Pittsburgh's Hill District. Wilbur C. Douglas named the club The Frogs, which stands for Friendly Rivalry Often Generates Success. The high purpose of this newly created club was to have fun; and

WHEREAS, Caesar D. Lowndes was elected President of the Frogs and Howard H. Hall, Henry H. Kennedy, Byron N. Peters, Howard E. Rickmond and John C. Stanton were the first members. Today, some of the most senior members are Dr. Charles Bookert, Dr. Eugene Youngue, Jr., Bill Frederick, Lee Washington, Dr. Ed Hale and Dr. Earl Childs; and

WHEREAS, the men who formed the club are called "leading lights" of Negro society. Today, the Frogs are leaders throughout the entire regional civic

society, as well as leaders within the African American community; and

WHEREAS, the Frogs club is still committed to the "high" purpose enunciated fifty years ago. But as the Frogs approach the new millennium, they are being renewed with increasing vigor. They are not only about the business of having fun, but also about the business of reaching back and helping those less fortunate.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh acknowledges the valued contributions of talent, generosity and leadership represented by the Frogs Club of Pittsburgh, and congratulates them on the anniversary occasion.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Moving to public comments. This is the appropriate time for any resident and/or individuals in the audience who would like to address City Council. If you could please come up to the podium and try to limit yourself to three minutes. And for the purposes of the public record could you please give your name and address and I recognize you first.

PUBLIC COMMENTS

Aggie Patchen:

My name is Aggie Patchen

(phonetic) and I am President of the Pittsburgh Citizens Alumni Association. I really want to address the issue of Cookie Coleman. She has been removed as Coordinator of the Citizens Academy. She was given Chief McNeilly's word that this was her baby and she could conduct it. She found out last Thursday that as of the 26th of July she is done with it. I want the support of Council behind us.

The Chair:

Thank you very much.

Mr. Reeve:

I am Mr. Reeve I am just here to support Ms. Patchen.

The Chair:

I think you are both graduates from the COP program.

Mr. Onorato:

I want to speak mostly with Ms. Patchen and she left a message on my machine and I was out of town for two days and we will look into it.

Ms. Patchen:

I appreciate it.

Mr. Onorato:

We will get back to you. As Councilman Ferlo said this is news to us. I haven't heard that this is accurate or not but I would like to find out.

Ms. Patchen:

Cookie got the notice last Thursday.

The Chair:

Just so we are clear, Council does not legally or legislatively or administratively --

Ms. Patchen:

I know you don't but --

The Chair:

Excuse me let me just finish, we don't have anything directly to do with the staff that's all under the Mayor and the chief just for point of reference.

Ms. Patchen:

I know you don't. But Cookie came to Council to petition you to support this idea about four or five years ago she came to Council. She was the one who really built it up. Now it is being taken away from her for obviously no reason. No one will tell us anything.

The Chair:

Thank you for your comments.

Mr. Cohen:

I remember quite well Cookie Coleman coming up with the idea for a Citizens Police Academy. So having heard this news, I am sure we will all look into this, I thank her for coming.

Mr. Hertzberg:

I have participated in several ceremonies at the Citizens Police

Academy and of course I see Aggie at most of them. She is there and she spends a lot of time with that but there is no doubt that Cookie Coleman is an integral part of that operation right now. Maybe there is some explanation, I hope so. It doesn't seem like a very good decision. I hope we can find out some more.

Mr. Cohen:

Could we send a letter to Chief McNeilly and get an explanation in writing.

MR. HERTZBERG so moved.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Williams:

Good morning, Council. My name is Harry Williams. I just couldn't come and not say something. I had a good chance ain't too many people here today.

My family owns Eagle Taxi Cab Company, which we have just got authorization from the Yellow Cab to operate downtown in the City of Pittsburgh and in all the areas of City of Pittsburgh. And I am very proud of it. I would just like to say something about it.

I would like for the city to say support City Works for people to work in the city that live in the city. We fought this battle in 1970 and we are fighting this battle again. Thank you.

The Chair:

Thank you. Congratulations.

Ms. Brown:

I hope that the camera will show my sign. There has been a lot of people asking me what sign was I carrying.

I would first like to start off that my name is Yvonne F. Brown. I live at 2633 Brackenridge Street that's Pittsburgh 15219. If there is anyone in the audience whenever I am speaking and if you don't understand what I said please write and I will answer or answer it here at Council.

I would like to read a passage and the author is unknown. The name is The Rose Within Us. A certain man planted a rose and watered it faithfully and before it blossomed he examined it. He saw the bud that would soon blossom and also the thorns and he thought how can any beautiful flower come from a plant burdened with so many thorns. Saddened by this thought he neglected to water the rose and before it was ready to bloom it died.

So it is with many people. Within every soul there is a rose. The God like qualities planted in us at birth grows amidst the thorns of our thoughts. Many of us look at ourselves and see only the thorns the defects. We just fear it that nothing good could possibly come from us. We neglect to water the good within us and it eventually dies. We never realize our potential.

So some people do not see the rose within themselves. Someone else must show it to them. One of the greatest gifts a person can possess is to be able to reach past the thorns and find the rose within others. This is the characteristic of love. To look at a person and know in her faults,

realize the nobility in her soul and help her realize that she can overcome her faults. If we show her the rose she will conquer the thorns then she will blossom, blooming 40, 30, 60, a hundred folds as it is given to her.

Our duty in this world is to help others by showing them that they're roses and showing them their roses and not their thorns only when we can achieve the love we should feel for each other. Only then can we bloom in our own garden.

I would like to deviate. For your information before you vote about the Chief Fadzen open hearing on 5/10/99, Chief Fadzen agreed to come to a meeting before the board, parents and the community. I made a request for a hearing with the agreement of Chief Fadzen this was the last meeting in June. Now I have been told that the next meeting with the Board of Education won't be until September. We are asking the community that if they do not have an open meeting, that you leave it open that we have an option by August the 15th, after August 15th to be able to have the meeting before school comes back in.

I am sorry for taking the time, going over my time. But this needs to be looked into. We have where Chief Fadzen has agreed not the board but he has agreed. I tried to get the transcripts as you told me, Linda. The woman told me when I called the School Board that she didn't like my tone of voice. So you can see I have tried. I have went to the Board and I have went before Chief Fadzen he agrees. I don't understand where the legality is about him having a hearing. Thank you. Have a nice day.

The Chair:

Thank you any other speakers?

Ms. Urquhart:

Good morning my name is Dorothy Urquhart. I reside at 5811 Penn Circle North. My P.O. Box is 5491, Pittsburgh 15206. In case some one would like to write in regards to what I am here about again today and that is the Urban Redevelopment.

I mean its just deplorable I hope that -- did all the Council were you able to look at the pictures and read and go over what I sent you, because it is very important? No one should have to live like this. For nine years since I have gotten that loan and nobody finished it. I mean it is deplorable. And I have been asking for help from different ones from the Mayor's Office on down and I haven't received it, which is very hard to believe that is happening here in this city but it is happening. And you can see the condition of my house and why is this being allowed when I am a steady paying payment from 600 to 571 a month. And then my light bill my gas runs over, my utilities over 500. I am struggling it is taking every penny that I have to keep a roof over my head.

I had someone asked me why don't I just get up and leave? Do you invest in a home and just leave it? I mean this here I wanted to make it a home. I had the specifications to make it a home. But just it all roots down and it comes from they did not want this African American making a beautiful home there in the city and there is no other reason. Why was a stopped? Why was I sabotaged? So it is

the little people that must get in touch and find out.

We must have an organization or whatever you want to call it to oversee the Urban Redevelopment's work in this city. Because the poor people are the ones that are suffering, the little people. And they aim in the black areas. It's a shame that it gets down to that black and white, but in the black areas, it would be nice for the young people to go by and say here is a beautiful home that a black woman has renovated and in our area. But it can't happen because it is not there.

You see we must -- I received no grants, they sent a package from Dennis Davin from Urban Redevelopment sent a package and it is filled with lies. But you see I shouldn't have to prove that. I have papers to prove it and everything else to prove it. The house proves it that he sent a bunch of lies. Because I operate, I cooperated with them in every way that I can. And I receive no grants. They lead the impression that I received grants which I didn't. And the Mayor must have someone to overlook and see that the poor people stop being ripped off. Don't go towards that way if you want to renovate a house. Thank you.

The Chair:

Thank you very much. Any other comments from any residents who would like to address Council?

If not, thank you very much. We will move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1815 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 267, "Exemptions For Industrial And Commercial Improvements," by expanding the exemption authorized by Chapter 267 to include the conversion of industrial, commercial or other business properties to commercial residential use. —
(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN PRESENTED:

No. 1816 Resolution authorizing the transfer of Three Hundred Thousand Dollars (\$300,000) from the Bureau of Police to the Emergency Operations Center, Department of Public Safety.

Which was read and referred to the Committee on Finance and Budget.

No. 1817 Resolution amending Resolution No. 425, effective July 7, 1999, entitled: "Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Emergency Operations Center and providing for the payment thereof" by decreasing the amount from \$500,000.00 to \$320,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day

following the meeting in which the bills were introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1818 Resolution authorizing the transfer of One Hundred Thousand Dollars (\$100,000) from within the Bureau of Police, Department of Public Safety. Which was read and referred to the Committee on Finance and Budget.

No. 1819 Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of road spikes for the Bureau of Police at a cost not to exceed \$100,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1820 Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Relocation of Fort Duquesne Boulevard including construction management and inspection services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; providing for a Cooperation Agreement or Agreements with the Public Auditorium Authority; at a cost not to exceed \$13,584,000.00.

No. 1821 Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by amending the funding source on Fort Duquesne Boulevard Reconstruction and reducing the total project allocation by \$66,000.00 from \$13,650,000.00 to \$13,584,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MS. MCDONALD PRESENTED:

No. 1822 Resolution approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and H. J. Heinz Company for Parcels 14, 14a, 16 and 17 (Block 24L Lot 92 and Block 24H Lots 169, 168, 158, 150, 138, 136 and Part of 140) in the Twenty Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 48, River Avenue, Council District No. 1 (construction of distribution center and vehicle parking/staging area).

No. 1823 Resolution approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Western Pennsylvania Maglev Development Corp., for the lease of Part of Parcel 2 (Block 2C Part of Lot 300) in the Third Ward of the City of Pittsburgh, Council District No. 6, Bedford Avenue at Crawford Street (parking garage).

No. 1824 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit a 1999-2000 Application for Financial Assistance in the amount of \$2,800,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Community Development Investment Fund, Streetface Program, and Heinz Distribution Center Project.

No. 1825 Resolution authorizing a 1999-2000 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Communities of Opportunity Program.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1826 Resolution authorizing the Mayor, the Director of City Planning, Director of Parks and Recreation and the Director of Finance to grant a license or licenses to interested and qualified individuals and/or entities to enter upon the use various docking or landing facilities along the Allegheny, Monongahela and Ohio Rivers, for the limited purpose of access to, upon and from said land, as docking locations for water taxi services to be utilized for the benefit of the general public on a commercial basis over and through the rivers within the City.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1827 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by adding Section 161.30 --Requiring Contractors and Employers of employees hired to staff hospitality operations to be signatory to collective bargaining agreements where the City of Pittsburgh has a financial or proprietary interest. — (SPONSORED BY MR RICCIARDI)

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 1828 Resolution providing for the issuance of a \$5,609.15 warrant in favor of Pittsburgh Flatroll Company, c/o David R. Czarnecki, 31st Street & AVRR, Pittsburgh, PA 15201, in settlement of a claim in which claimant's fence was damaged due to the way vehicles are parked at the City Tow Pound.

No. 1829 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1830 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 1831 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and budget.

The Chair:

Council President O'Connor has no papers to present at this time. Moving to unfinished business.

UNFINISHED BUSINESS

We have the matter of the appointment of the Finance Director, Director of Finance and Budget. Clerk, please read the bill.

No. 1808 Resolution authorizing the appointment of Ellen McLean as the Director of the Department of Finance.

The Chair:

You have heard the reading of the appointment. Is there any discussion or a motion?

MR. UDIN moved to adopt.

MR. RICCIARDI seconded the motion.

The Chair:

Discussion?

Mr. Udin:

I would just like to begin by congratulating Ms. McLean on her appointment and I hope that it receives the support of Council as the Finance Chair.

I have had the pleasure of working with Ms. McLean since her beginning. I have found her to be competent, aware, conscientious and I think that she will make a good Director of the Finance Department. I think that she brings a combination of private, corporate experience, non-profit experience as well as the municipal finance experience that she has gained since she's been here working for the city. I think that anyone who came to us from outside with that kind of a resume of a mixture of corporate non-profit and municipal experience we would receive their resume positively.

So I hope that her appointment will receive the majority of the Council members support. I think that she will make a valued contribution to the City's Finance Department.

Mr. Cohen:

Thank you Councilman Ferlo I want to echo the Finance Chair's comments. I have worked with Ellen McLean on a couple of issues over the last year or so and she has always been informed and responsive. Her resume is

an impressive resume. I also had a lengthy conversation with her last week about finance issues, personnel issues and really all issues related to the Finance Department. And I thought that her answers were insightful and right on point.

I think she should be given the opportunity to be Finance Director and to prove herself which I am sure she will and to work with our Finance Chair. I think the fact that the Finance Chair supports her nomination and is certainly important because that's going to be the first relationship that she has to develop between the Finance Director and the Finance Chair. So I support her wholeheartedly and I would hope this Council does as well.

The Chair:

Other discussion?

Mr. Onorato:

As far as I am concerned, this is no reflection on Ellen McLean. I have no problem supporting her. This is the Mayor's choice. I received no reason not to vote for the individual. This is who the Mayor is selecting to be there after the questioning.

However, we all know what is going on. There has been discussion the last couple of days. Councilman Ferlo brought up some issues and we have a memo from Councilman Ferlo. I think it is an issue that has to be addressed soon and that is not so much what is happening to the individual who is the Acting Fire Chief but the question of the role of Council and the Mayor and what do we do to fill these positions.

I have no idea how many months the Acting Fire Chief has been there. But I know we changed the Home Rule Charter several years ago to reflect that Council has to take action over I don't know if it was 60, 30 day, we can have the Solicitor tell us. Councilman Ferlo I think sponsored it. But I thought my understanding was that if there wasn't any action from the Mayor over a certain period of time, Council had the ability to confirm the acting permanently. And I am prepared to do that today if that is one of the issues that we have to discuss -- but clarify what the actual change was Councilman Ferlo, because I think it was your bill. But this point has to be addressed.

We can't just go on if the Home Rule Charter is being violated and act like we don't know what is happening. But these positions have to be filled and acting is supposed to be temporary. This individual has been acting for how long now? Is it a year? It is well beyond the statutory time period that's in the charter and I don't think we should ignore that fact.

I don't want to get into a battle of holding up individuals like Ellen McLean, however this is probably the only point that Councilman Ferlo had some leverage to debate the issue. I don't have a problem discussing it right now if someone can clarify, if we have the ability to confirm acting individuals beyond that 30 or 60 day period. If that is the case, I am ready to confirm both today.

The Chair:

I would like to speak very briefly and I will try to be brief and be mindful of

my role to try to chair and facilitate the meeting as opposed to being a strident advocate who usually has an opportunity to sit down there.

But in the interest of facilitating the meeting, I want to make it clear, I do not support this appointment. That is quite obvious. I do want to apologize, I think it was imprudent and improper for me to make a comment that the individual isn't competent. I don't know that that was accurate, I don't think it was justifiable. I will personally apologize to the nominee and certainly to her family and to my colleague, Mr. Udin, who was trying to chair a difficult meeting. Please accept my apology.

I do feel however, that the individual is not qualified and not the best candidate to be the person filling the position. I know the position to be legally and by job description as a vote by this Council and as having been presented by the Mayor it's not the Finance Department Director. It's the Director of Finance and the Budget. And I think there is a significant issue there. I did not support co-mingling those two distinct separate job functions when Director Hennigan was appointed, and I still don't. In fact the events over the last year and a half have even made me feel more strongly that that was a major mistake.

Councilman Udin so eloquently you started touching on the issue a little bit last week. I hope that you will revisit the issue even if you will not relative to today's appointment process. I hope that we can try to address it. I think there has been a major tactical administrative mistake by the Mayor and the administration in co-mingling these two

separate and distinct functions. This individual the Finance and Budget level were making over one hundred thousand dollar investment in this individual when you count fringe benefits, and an automobile. I don't think we are getting the great individual that we need to have both at the revenue finance side and certainly not at the budget policy person. The person who could look the Mayor in the eye and make him understand the economics situation that this city budget is facing and we'll get him to do two things.

Offer a practical beneficial way to address financial concerns and make him understand that politically he has to work in a legislative arena to get things done. I am almost willing to support return of Mr. Turner from the Masloff administrative, because at least I knew he had that acumen and those skills. I actually had more faith that we are going to move ahead and get things done. I think the schism has grown wider between this Council and the administration on major budgetary policy issues as evidenced even by this ridiculous holding for the last five weeks on the issue of the EOC operations. And Councilman Udin eloquently and properly pointed out about the fundamental debate on the fund balance and that is just a terrible way for us to have to conduct ourselves.

I would ask consideration it's clear majority of colleagues support the nominee. I don't. I will vote against the nominee obviously but there are two substantive issues that I think this Council should address if not now sometime. That is a return and separating out of the two job functions so we have a clear distinct Revenue Finance Director concerned about all the administrative details on the

issue of collection of revenues, best methods of collecting revenue. There is a whole myriad of issues that need to be dealt with in terms of bringing the money into the city taxes, fees, whatever they be. I think that's a very separate and distinct function from a budget controller, budget comptroller, budget officer, whatever you want to call that person, who plays much more of a policy role and deals long range and systemically with the budget problems from unfunded workers pension liability to the worker's comp fund, to not getting our four million from Harrisburg. I just think that's a whole separate and distinct set of skills and criteria job wise as opposed to the co-mingling of the collection of the revenue and accountability of the collection of the revenue and forecasting of the revenue. So I don't think Council apparently wants to debate that today at least in terms of holding up this appointment.

I am uncomfortable and I am not sitting down there so I can't really make a motion. I was hoping to make a motion to actually delay this at least one week for two purposes. One is to try to resolve and get some sense from the administration as to whether or not they will review and give reconsideration to separating out the two job positions in the future. If they did that I would reluctantly vote for the nominee. And more importantly, I still think and I refer to yesterday in my letter as Council being a rubber stamp and personal (inaudible) is the issue that we went through a major process. We said that we wanted to confirm major appointments to the Directors of Public Safety, Bureau Chiefs.

I think we have a very skilled confident Fire Chief presently in place. I

felt the same as well all colleagues felt the same when Acting Director of Parks was in there Council spoke out and the Mayor did a great thing. I think we have a wonderful Director of Parks who came up through the ranks and at least as far as I am concerned has been a God send for me in my district on parks issues. I think the same holds true for the Fire Chief.

I think it is a slap in the face to his professionalism and his skill to this Council and our role in terms of the confirmation process. I think it is unbelievable that they're spending an inordinate amount of money and opportunity, cost and time looking elsewhere for a Fire Chief when they could look no further than the current nominee who is acting. We passed it. Its like we don't even care about what we say we want to have input on. I think we are taken for granted.

Now clearly majority support the nominee and maybe that majority don't want to use this as an opportunity to hold up the other two issues and there are two separate and distinct issues. Some people may agree with me on the Fire Chief but not necessarily agree with me on the Budget Director. I am not going to make a motion because I am trying to facilitate the meeting as chairing but that is how strongly I feel and I will have to vote no on the nominee stands apology.

Mr. Udin:

I want to associate myself with your comments and concerns on the office of the Budget Director. I expressed it last week at Ms. McLean's interview and I would repeat it again. I think it is clear that the Budget Director is a full time

position in itself. It is necessary that throughout the entire year the budget be monitored, that all departments be monitored as to their staying within budgetary limits. The fact that we currently are operating an operating budget that operates with a 20 to \$25 million structural deficit those are extremely important political and budgetary considerations that should not be handled as some kind of subordinate assisted function within the Department of Finance.

It is an important position and it is a position of policy, which requires tremendous contact with Council and it requires someone who has the direct ear of the Mayor. Not someone who has to report through Sirabella up through Tom Cox to the Mayor, it has to be someone who has the direct access to the Mayor. And it is not my belief that this arrangement of having an Assistant Budget Director who reports to the Finance Director, who reports to the Deputy Mayor, who reports to the Mayor; I don't think that that's going to provide the kind of leadership that's going to help solve the extremely important problems that we have with this budget as well as the interface that's necessary with the Controllers Office and the Controller's role in monitoring the budget.

So we have got some serious problems and I look forward to working with President Emeritus Ferlo in correcting these problems. But I also hope that we will move forward with this nomination.

Mr. Hertzberg:

Thank you. I share your concerns

with the Acting Fire Chief problem. And for that reason only I will at some point make the motion that we hold this appointment for one week because we have been sending this message now to the Mayor about the Acting Fire Chief for six months or longer. In fact, the last discussion I had I believe it was with Mr. Sirabella to try to determine why it was taking so long. It occurred three or four months ago and the responses I got were really not satisfactory. There was never a good reason given why the process took so long. Even if you were going to go out and make this nationwide search it should have been done a long time ago.

What happened was there was a six or nine month delay before a decision was made to do that and that's just terrible for the individual that is the acting chief. It is a terrible way to treat him and I don't think it is good for the entire Fire Bureau to have this situation. I think former Chief Dickinson announced his retirement in the spring of 1998 and said it would be effective I believe July or August of '98. Here we are in July '99 a year since he actually retired and almost a year and a half since he announced that he was going to retire we still have not formally confirmed a fire chief.

So to me if nothing more that merits that we hold this appointment for a week to try to do something about that problem. But I wouldn't go any further. I don't share your beliefs with respect to the Finance Director, Budget Director. Now I support Ellen McLean I think she is very competent and will do a good job. I also don't have any problem with the combination Budget Director, Finance Director position. It's been my experience on this Council when we did have

individuals that had only the job of Budget Director and no other job and we had separate Budget Director and Finance Director. I personally didn't see a great difference between that situation and the situation we have now with the individual serving both offices. And I think if that can be done, that's something we should do in budget and finance and we should do it in a lot of other departments in this city.

So I would leave that to the discretion of the Mayor if he believes that we can achieve greater economies, save some taxpayer money on a salary by doing that. So I would be ready to move next week but I would make a motion at this point to hold for a week.

MR. ONORATO seconded for discussion.

The Chair:

I would only ask -- obviously these are two separate unrelated issues on the floor. I will take half a loaf is better than none. As an offer and compromise to Mr. Udin, if he would support the motion on the issue of the Fire Chief, I would vote in favor of the nominee next week if there can be at least some inner discussion by the Finance Chair with the administration and this issue of the Budget Director job position and all that.

Mr. Onorato:

Councilman Ferlo, if you could just clarify again that change that you made through legislation, what was it?

The Chair:

I think unfortunately the change

was operating on a good faith with the administration. I should know better by now having worked with this administration for two terms. The amendment basically said that Council, if you remember historically, we only had a Public Safety Director, which we all know we really don't have a Public Safety Director. We have a Deputy Mayor that theoretically has those job functions. So in effect when a new Fire Chief, Police Chief, BBI Chief came aboard Council because of the old system of having a Public Safety Department and only confirming that director divorced itself from input in the confirmation process for the Fire Chief, the police chief. We rectified that by saying that Council wanted confirmation authority for all directors as well as the Bureau Chiefs of the major divisions of Public Safety. I did that in good faith. It does not actually contain a clause that says after the 90 days is up I think it was they will be considered in effect the full time --

Mr. Onorato:

But I think someone changed the charter. There was --

The Chair:

There may be something else referenced in the city code, as second class city code, I don't know I would have to look.

Mr. Onorato:

Maybe we can ask the Clerk. I think the charter --

The Chair:

We were basically just saying hey

we would like some input on the hiring and firing.

Mr. Onorato:

I must be talking about a different amendment. If the Clerk could just explain what the Home Rule Charter change meant where after there was a certain time frame that we either --

The Chair:

I think that was only for the magistrate, where there is dispute as Councilman Cohen offered an amendment on --

Mr. Onorato:

You are right, it does apply to magistrate.

Mr. Cohen:

Charter amendments.

Mr. Onorato:

It was just magistrate?

The Chair:

I think it was just acting of the magistrate. I don't think it is clarified --

Mr. Onorato:

That is what it is referring to. Okay.

Mr. Cohen:

I will defer to Councilman Diven.

Mr. Diven:

Maybe this will give us some clarification. I had the opportunity to talk with Deputy Mayor Sirabella and he's advised me that the Mayor has made a commitment to appoint Chief Micheli as the full time Fire Chief. So that's supposed to be forthcoming.

MR. COHEN seconded the motion.

The Chair:

That's because he just entered the room and we now have a confirmation or what? Well, there is a motion on the floor on another issue is that we have two colleagues missing. I think both colleagues are supportive of the nominee. If you want to have more representation of the final vote --

Mr. Cohen:

Especially in light of the news that Councilman Diven just gave us, I oppose the holding of the bill. I do strongly support asserting our authority when it comes to the Fire Chief, and I agree with Councilman Ferlo on the Fire Chief issue.

The Fire Assistant Chief Micheli I think has done an excellent job, certainly has done an excellent job in fire prevention. I worked with him closely when I was Public Safety Chair and I think he should be the Fire Chief. That's a separate issue from what we have before us and which is the confirmation of Ellen McLean as Finance and Budget Director.

In light of Councilman Diven's announcement, I think we should go ahead with Ellen McLean's confirmation and go ahead with Chief Micheli's confirmation as

soon as that officially comes over. I think that solves the problem. On the issue of OMB and finance, I guess my view is we should give this new director a chance to head both departments. If it looks as if there are inconsistencies between OMB and finance or for some reason she is notable to perform both functions, then I think we should step in. But at least with Director Hennigan I think his supervision of both departments worked out fine. I think there are also some advantages of having the information from the Finance Department to be able to bring to the Budget Department and vice versa.

So on that issue I don't have a problem with the way it is currently. I don't think we should hold up this nomination especially in light of the news.

The Chair:

Well the issue is do we go with proof in the pudding and actually receive a nominee confirmation resolution from the Mayor before the end of the meeting we could defer this or do we act on trust, which I have learned the hard way not to do?

Mr. Udin:

I was prepared to support your proposal, Mr. Ferlo, to hold the nomination for a week prior to Mr. Diven's astounding revelation. But given the fact that apparently the administration has moved on this issue, I first want to congratulate you Mr. Ferlo for forcing the issue to make that happen.

Secondly, I would point out that the effective date of Mr. Hennigan's departure is very, very soon. I would not

want to hold up the nomination of the new Finance Director any longer than is absolutely necessary. So I would like to also propose that we move forward with this confirmation forthwith today.

The Chair:

Point of procedure, even though I am the chair, at 11:18 in the middle of our meeting low and behold we have a confirmation letter from the Mayor, his honor, appointing Pete Micheli as the Chief of the City of Pittsburgh Fire Bureau pending our confirmation. I would like to suggest procedurally --

Mr. Hertzberg:

I withdraw my motion to hold up Ellen McLean's appointment for one week.

The Chair:

Thank you very much. Is there a second -- will the second withdraw the seconding?

Mr. Onorato:

Second withdrawn.

The Chair:

Now we no longer have a motion to hold at least as it relates to the Fire Chief issue. That's been resolved and like Councilman Udin I want to congratulate the administration. I think we have a great hard working, experienced, tenured Fire Chief. I think the Mayor should be credited with the initial nominee in the acting position. I am pleased to see that he's now the Fire Chief.

Any other discussion on the other substantive issue of the Budget Director or the nominee appointment itself?

Mr. Cohen:

I want to ask is there any other directors we might be interesting in stalling. Because it looks like if we have that opportunity we might as well do it right now.

The Chair:

Any other discussion? I won't reiterate my earlier concerns. I will vote no on the nominee on the issue of the budget situation. Any other comments?

Let's dispense with this and then we will introduce this if there is no objection.

Any other discussion? Hearing none, roll call vote on the nominee.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin

(Mr. Ferlo voted no)

The Chair:

Vote is six and the nominee is now appointed. Congratulations.

If there is no objection I would like to have the Chair present for the purpose of introducing it into the public record so

that we may act accordingly the following communication from the Mayor.

MR. O'CONNOR PRESENTED:

No. 1836 A resolution authorizing the appointment of Peter Micheli as the Chief of the City of Pittsburgh Fire Bureau.

The Chair:

What is the pleasure of the body?

Mr. Hertzberg:

I make a motion that we interview Chief Micheli as soon as possible. It is not for the purpose of not approving him.

MR. UDIN seconded the motion.

Mr. Hertzberg:

I would like to have the interview and hear some of his thoughts and comments on the future of the Fire Bureau.

The Chair:

Very good. I will ask that the Clerk work with Councilman Udin on the scheduling for the Wednesday session. Any other appointments or comments?

Which motion prevailed.

The Chair:

We received the nomination and we will conduct an appropriate interview.

That concludes our unfinished business.

Given my role as trying to facilitate the meeting, I would like to ask my colleagues if I could dispense with a Committee Chair Report on Engineering and Construction. You have a copy in writing and I will make some commentary next week when Council President Bob O'Connor comes back.

Moving to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1832:

Report of the Committee on Finance and Budget for July 7, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1782:

Resolution providing that the City of Pittsburgh enter into a professional services contract with McCrory & McDowell LLC, Certified Public Accountants Consultants for the purpose of auditing the claim management functions of the City's Workers' Compensation Third Party administrator. Cost not to exceed \$25,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion?

I voted no last week on this only

because I don't understand why our annual consultant who does auditing work, I don't know if it is Pete Marwick now or whoever it is. I don't understand why this can't be part of their annual obligation. Any other discussion?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin

(Mr. Ferlo voted no)

Bills have received the legally required number of votes and have passed fin.

MR. HERTZBERG PRESENTED:

Bill No. 1833:

Report of the Committee on Public Works, Water and Environmental Services, for July 7, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1727:

Resolution granting unto Alain Pizzutti, Le Perroquet, 709 Bellefonte Street, Pittsburgh, Pennsylvania 15232, the privilege and license to construct, maintain and use at his own cost and expense, a sidewalk café and planter on the sidewalk area of 709 Bellefonte Street, in the 7th Ward, 8th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bill was amended by Councilman Cohen. Hearing none, bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Chair)

AYES Seven NOES None

Bill has received the legally required number of votes and has passed finally.

MR. ONORATO PRESENTED:

Bill No. 1834:

Report of the Committee on Planning, Zoning and Land Use for July 7, 1999, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1643:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, District Map No. 12 & 17 by changing from "R2" ("RT-2") Two family Residence and "R3" ("RM-3") Multiple Family Residence to "RP" Residential Planned Unit Development certain property having frontage on the northwest corner of Forbes and Murray Avenue, 14th Ward, District 8. (HEARING HELD JUNE 30, 1999).

Which was read.

Also,

Bill No. 1779:

Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "O", in the Homewood South/North Point Breeze area (Council District #9) pursuant to Pittsburgh Code Chapter 549.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Hearing none, bills are now ready for final action. All those in favor of the passage of the bills vote aye when your

names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Chair)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1835:

Report of the Committee on Engineering and Construction for July 7, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1777:

Resolution providing for a Grant Contract with the Pennsylvania Department of Conservation and Natural Resources in connection with the addition/improvements to McBride Pool, Phillips Park Spray Pool, Homewood Senior Center and the Sheraden Playground. The grant of \$250,000.00 will

cover 50% of the estimated construction of \$500,000.00.

Which was read.

Also,

Bill No. 1778:

Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the installation of water service at the Police Memorial located on the North Shore; at a cost not to exceed \$31,500.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

I want to thank Director Reginella for his support on the amendment on the Engineering and Construction for waterlines. This will provide an opportunity for proper water to be at or near all three of the war memorials, the police memorial, excuse me, the war memorial, Korean War Memorial. This is something Councilman Onorato has been working on over the last couple years. So there is 31,500 is the beginning of the process, there will be a subsequent resolution coming back when we finally know what the cost will be.

I wanted to let all those groups know that they will have water access for proper landscaping and esthetically embellishing the memorials. Any other discussion?

Mr. Onorato:

Mr. Chairman, I would ask that the Clerk send a letter with all of our names on it to all of the non-profit groups that run these memorials and let them know this is happening. A lot of times we do things and we do it in a vacuum and I think they should know it is coming because they are budgeting for it if you can let them know Council and the administration is moving on this.

The Chair:

Any other discussion on these two bills?

Mr. Hertzberg:

Just on bill 1777 I would like my comments brought forward.

(See Addendum for comments)

The Chair:

Thank you very much. Hearing no other discussion, bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. Ricciardi

Mr. Diven
Mr. Onorato
Mr. Ferlo
(Chair)

AYES Six **NOES** None

Bills have received the legally required number of votes and have passed finally.

Mr. Ricciardi:

Point of order. Unless I am mistaken are we missing my favorite bill regarding travel paid by the Weed and Seed Program? Or was it -- I thought it was --

Mrs. Johnson-Wasler:

That legislation received final approval on Wednesday with permission granted. It was a motion to approve for all communications such as travel is approved on Wednesday's legislation.

Mr. Ricciardi:

I see. Thank you. That is why she is the City Clerk.

Mr. Onorato:

That was not part of the invoices though that was a separate bill?

The Chair:

I think we need a clarification on that. Because in the past we have voted on JTPA --

Mr. Ricciardi:

When we --

The Chair:

As opposed to city employees.

Ms. Linda Johnson-Wasler:

Not as final action. It is not a resolution. It is a communication.

The Chair:

In any event, the bill is not up presently but I think we need to resolve this and we would like to ask the Clerk for a written opinion or commentary on this.

Mr. Ricciardi:

Thank you. Obviously, if this could be opened up now for resolution and discussion?

The Chair:

I think we should move to motions and resolutions and we are open for discussion on any matter. I will call on you first.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Obviously on that bill it did have the support of Pittsburgh City Council. So I really would like to know more about the process. But I don't have a problem with it being approved.

Colleagues, I will just take a moment or two because I look forward to the Controller's audit and report to this body. But if you look in today's Pittsburgh Post Gazette I am sure the Tribune, you will see a America's Top Seed United States rates city anti-crime effort number one.

I found this article number one,

very interesting and number two very amusing. That this award was given by the Justice Department in their lush offices in Washington DC who are so out of touch with the City of Pittsburgh and our neighborhoods. And I find it very interesting and I would like to know the politics behind closed doors on this. Take just a moment.

Colleagues, I believe that we here in the City of Pittsburgh are experiencing a public safety and a public health crises here in the city. I believe that certain neighborhoods including those in my councilmatic district and certain streets are under siege by the influx of drugs, by drug dealers and addicts and all the crime that is related to the aforementioned.

The problem I have with the Weed and Seed Program is I never thought it would go down the road that it did. I pictured it as a nice split between weeding out the drug dealers and also helping those who need help, such as the addicts. And hopefully working with JTPA, Job Training Partnership Act in the City of Pittsburgh and helping them find employment helping those. I also thought that we according to the past discussion would fight or stop drug dealers here in the City of Pittsburgh not just those individuals that are dealing drugs on the streets, those are the easiest people to stop. All Council members and members of the viewing audience can tell you who is pushing drugs on the streets in open-air markets. I had believed with the influx of millions of dollars of federal dollars working very closely with law enforcement officers in the state and on the federal level that we would get beyond the street dealer to those individuals that are probably living lavish life styles to

those individuals that don't get their hands dirty by pushing the drugs but to those individuals that are at the top of the pyramid.

I would like to find out through our City Clerk if our city police working with others can tell us in this year what big drug dealers have they caught, have they busted, have they incarcerated? Because these drugs I mean it is easy to catch the 16 or 17 year old but it is more difficult and we should be finding out who is selling these drugs to our neighborhoods.

I remember when Council President Emeritus Jim Ferlo was criticized for telling the feds to use the RICO Act in busting up gangs. Everyone said what does Jim Ferlo know about law enforcement? Well what came out years and years later? The RICO Act and we busted up these gangs. So I don't want to hear from anyone that Gene Ricciardi or others don't have a law enforcement background because we have common sense.

Then I pictured because I think we need to help those who need help, we have to help those families who need help through this drug addiction that's touched probably all families, the majority of families. I picture to have a support staff that once we busted up the drug dealers and once we went into the crack houses that we would have a support staff of community people of ministers, of priests and of others that we would be able to take those addicts and help them. I never ever pictured and this will change because I am changing the legislation I never pictured that we would spend \$2,695 on a picnic reception. I never thought we would spend \$3050 on box tickets for Pirate

games. I never thought that we would spend money on foods such as pizza or banners during the festival holidays or bands to take part in parades. I just never saw that. I never would believe that and I don't believe that the seed part. Planting a seed to me doesn't mean and now we are having concerts by the way, I have another pamphlet and I am being fed a lot of information from neighborhood people in Hazelwood but now we are having concerts.

So we have given a kid a slice a pizza, we give him a baseball ticket, tell him to go see a concert, I don't see how that would help. Then I get a letter from the Homestead Police Department who are somewhat upset on some of my remarks last week. They are probably more passionate then they would be today and they gave me an idea on how they are spending money. I was surprised they sent this to me because I guess they're proud of it and maybe they should be. Maybe they're wrong, but maybe I need to better understand the whole program. But look how some of this money is being spent this is across the nation by the way. This just isn't here. Vegetable gardens and flower gardens, that's really, really helping to make neighborhoods safe in the City of Pittsburgh in Homestead. Let me go on. Equipment for different sporting events. Bike helmets, bike helmets are a fabulous thing but how do bike helmets make a neighborhood safe or help an addict? The bike helmets are for the innocent people in the neighborhoods when the shots are being fired that they don't get hit. I could go on and on this.

Bike helmets, garbage cans, decorative, I am sorry. It is federal money so let's use it for decorative garbage cans.

Here is what I am saying, it is a good program that has good intentions, but I am looking forward to seeing the audit from Tom Flaherty to see how much money I consider has been wasted. That's not seeding a neighborhood. Seeding a neighborhood is job development, job creation, job retention. Now they put out this 20-page operation Weed and Seed executive summary. Boy those people down in the Justice Department, they can surely be fooled.

Let's talk about where it first started up in the Hill District, it says -- this is an outcome, open air drug trafficking was reduced, was reduced in the Center Avenue commercial corridor. Reduced. Our colleague, Mr. Udin, has been screaming, has been talking for years about the increase activity at Kirkpatrick and Center Avenue. Then someone says well crime is down in the Hill District. First of all, crime is down, violent crime is down nation wide. But if a crime is being, if a crime is happening and a police officer does not in any way stop that crime, the crime doesn't get reported.

Crime -- so open air drug trafficking -- then it even says but don't worry it moved to the other areas in the target area. So it moved, I guess we're okay with this. And it goes on to tell you and they take responsibility for so much. They say they are taking responsibility for the Hope Three Funding, for the URA programs started, and it goes on and on and on. It is just not right. This is not what I pictured and I will have to change the legislation because there is a one line item where it states that they could do some social education.

Bottom line, its a good program.

Its a lot of federal money, but I think some of it is being wasted. I would love to see someone come to this table once we have our post agenda on this, once the audit is reviewed and defend, defend spending money on decorative garbage cans and on bands. on flower beds.

Let me just say this about Hazelwood that day when I had some of those passionate arguments, and at times maybe even showed some temper, I had lunch that afternoon as a matter of fact with a family friend of many of you and a strong supporter of Mr. O'Connor. I asked the gentlemen I said, he is from Hazelwood, I said how is the Weed and Seed Program - no, how is drug activity in Hazelwood? He said it has increased. It's increased. You could tell me the crime has gone down by percentage, but if once again if a police officer is not making a move on something it is not going to show.

Fox last night, Fox News went in and talked to a person at a restaurant, the owner and he said good news, crime is going down. The Weed and Seed Program is being successful what do you think? The guy actually laughed in the camera and said he has seen no reduction, no reduction.

So listen, this administration can say anything they want on the 5th floor, the Justice Department can say anything they want. If you go out in the community you will see. Now going back to our friend from Hazelwood I asked him how is the Weed and Seed Program going? He said you mean the landscapers? I said, landscapers? He said, they are doing a great job on flowerbeds. This guy actually believed that it's a company responsible to

plant flowers. I could see that. They're weeding and seeding all right. And they have a lot of flowerbeds going.

Now next time I go to Kennywood Park, maybe I will stop and see the police officers there. Maybe I shouldn't go through the Homestead at all. I hate to run into some of them because the letter is pretty strong here. But I am going take their suggestion and I am going to try to learn much more about this program.

We have some talented people David Fardy (phonetic) is one of the most talented, intelligent, sincere person's that I know. But something went wrong somewhere. It has become like instead of these dollars that came from the federal government, I think they have become fun dollars, F-U-N dollars. Not fund, F-U-N-D as in funding good solid programs to help those that are in need of help. I am not being tough here. I am not saying just throw all the drug dealers in jail. I am not saying that. I am saying I actually want to see this money to help people. Bike helmets doesn't make it. Baseball tickets doesn't make it. Concerts doesn't make it. Decorative garbage cans doesn't make it. Banners do not make it.

This stuff just doesn't make it. I go back to that gentleman in the City of Pittsburgh that just loss his life to crack cocaine, an employee for the city, great family went through his whole house \$40,000 gone. Lost his family, lost his kids, lost his wife, upset his parents and eventually lost his life on crack cocaine. And maybe we could have used some of this money to bust up the higher ups. People are right, crack cocaine is every where. The black community, the white community, Southside, everywhere, where

I live everywhere. And we're spending money this way. It's a waste.

I am telling you Colleagues its a waste. And I am not going to cease. Lead articles in the paper aren't going to stop me. The Homestead Police Department I will meet with them. I am dumb. I will meet with them but you're going have to convince me, others are going to have to convince me, the administration called me up last week are you going to attend the press conference? I said absolutely I would like to speak. They said you can't speak. I would have loved to have spoken in Hazelwood about this. I am not going to a press conference where I can't speak.

Colleagues, you know please review it, I am not being rough and tough on the administration. I am not trying to hurt anyone professionally or personally, but I am telling you we're not doing it the right way. Thank you, Mr. Ferlo.

Mr. Udin:

I want to thank Councilman Ricciardi for stepping up to point out some of the inconsistencies in the Weed and Seed Program. Whenever I see some of the exaggerated claims associated with Weed and Seed it almost makes you criticize Weed and Seed. At least it almost makes Weed and Seed unfairly. I don't think it's a question whether or not Weed and Seed is good or bad.

I agree with many of the characterizations that my colleague, Councilman Ricciardi, pointed out. I disagree with some of the criticisms of some of the prevention efforts. It's difficult to prevent substance abuse and it is also difficult to measure how preventive activity actually reduces substance use.

And some of the preventive activity sometimes looks frivolous, but it is important preventive activity because those are the things that actually can prevent people from ever starting. It will not stop someone who is addicted and who is already abusing crack cocaine for example as Mr. Ricciardi points out. No prevention program can do that. But some of the prevention efforts like some of the activities, the sports activities, the recreational activities, if you target it to the right population they can prevent some people from ever getting started. But once people do get started, it requires a different kind of intervention. But it is also just as inaccurate to exaggerate the benefits of Weed and Seed.

I take particular exception to any listing of Weed and Seed accomplishments that suggests that open air drug trafficking in the Hill District has been reduced. I wish that I could celebrate that fact. But anyone driving through Center Avenue as they approach Kirkpatrick Street will see the crowds of addicts on the street, openly doing drug deals. Now does that mean that the Weed and Seed task force has not made arrests? Sure they have made arrests. The arrests that they have made have increased over the years. Has it stopped drug trafficking? No it has not. So it means that if there is a house on fire and your throwing water on the fire by the cupfuls, it doesn't mean that water is not an effective way of putting out fires, there is just not enough water being used and it is not being used effectively.

I have been asking the Mayor, the Chief of Police to meet and coordinate with the FBI and the alcohol tobacco and firearms and the Justice Department to develop a different strategy. Water will work if you use enough of it and you use it

effectively. But if all you use is the cupfuls of water that Weed and Seed throws on this fire it will never change the conditions.

So we need to stop exaggerating the effects of Weed and Seed. We need to stop abusing crimes that statistics as badly as people abuse drugs and telling people in the Hill District who are afraid to come out of their houses at night in some areas that crime is down. We're playing games with statistics. I intend to show in the weeks to come that the statistics that are being used are really not valid indications of what the real crime is in the community. It is more a political use of statistics that use a certain arrest information in order to make the administration look effective and look good when in actual fact the actual incidence of criminal activities especially certain kinds of criminal activity is not going down at all.

So I join with Councilman Ricciardi in his criticism especially of the failure of the weed section of the Weed and Seed Program to be effective in reducing narcotics trafficking in the Hill District and throughout the city. We need a different strategy. We need a political will on the part of the administration and the police chief to combat this problem in a different and more effective way.

The Chair:

Just on this issue, there are some other colleagues who want to address some other issues and maybe we need a post agenda to review the three different Weed and Seed initiatives.

Mr. Onorato:

I want to thank Councilman Ricciardi for bringing this up. I just find it ironic and I am going to ask or send a letter to the Justice Department maybe to reconcile how they can on one hand say that Pittsburgh had to be the first city for a consent decree and then I read from the same department, US Department of Justice rates city anti-crime effort number one. I find that very amusing.

I also find it amusing that they rate the Weed and Seed number one which is the program funded by themselves, the federal government. They come in and say well the part that we are funding is number one in the country. But what you're doing locally well you need a consent decree. I also find it ironic that their claim to fame that the crime has dropped 24 percent from 1992 to 1997 the same period that they're telling us we need a consent decree for that crime dropped not just in the Weed and Seed zone. My understanding I thought crime was dropping in all of our zones. And if that's the case, what are we doing in the non-weed and seed areas right that the Weed and Seed areas are doing right? I just see a lot of inconsistencies.

I think Councilman Udin and Councilman Ricciardi brought up their personal concerns of the inconsistencies with the statistics. There is a lot of here that I think is misleading. I think it is unfair for this type of headline because I have the problem in my Council Districts. I mean to hear that the US Justice Department ranks Weed and Seed anti-crime effort number will be the equivalent of Councilman Onorato ranking District One the most efficient in the City of Pittsburgh. I think some of you would say it might be a little skeptic there because that is the area that you represent

and you have a self-interest here. This isn't independent. I would much rather see the results of Controller Flaherty when they come up here. There is an independent Controller who has going to tell you what exactly the money is spent for, what the numbers look like, where the crime statistics are going down, what impact might have resulted from Weed and Seed versus non-weed and seed areas.

So as far as I am concerned you have to be very skeptical when you read this coming out of this Justice Department because of how they are ranking it and the statistics that you are using. I hope at the post agenda we could get our local US Attorney here, that would be helpful or representatives from the office to talk about the Weed and Seed Program and just the crime statistics in general. Because I know had to intervene on a particular home in my council district and it is still going on now where there is open drug activity going on. It is taking forever to remove this individual and guess what everyone, the city of Pittsburgh owns the title of the property and I can't get him how. That is a disgrace. Now someone explain that to me. But that is just some of the problems that I am dealing with so I don't know where the Justice Department is looking, but they are definitely not looking to the North Side when they are talking about my district.

Mr. Udin:

Point of information, the Weed and Seed can take advantage -- can take credit for Crawford Square, certainly the consent decree can take credit for the reduction in crime.

Mr. Onorato:

That is right. I will give both of them the same rating for inefficiencies.

The Chair:

I would suggest as Councilman Ricciardi has legitimately pointed out, there are concerns, questions, comments that the folks have. Maybe given the facts that there is a multi-year track record, good bad or indifferent, in the Hill with Weed and Seed, couple of years in Hazelwood now emerging now in the Garfield, East Liberty community, maybe after the break we can have a post agenda and talk about some of the issues. I think to the extent that the Weed and Seed Program initially begins to mobilize people at the grassroots level to take back their community at whatever level that is, that might be as simple as community garden, I think it can have some intrinsic value.

I obviously have a whole different radical approach to the drug crises in this country. I won't speak about it, but this country completely has got its head in the sand in drugs and until we deal with the political economy of drugs in this capitalist society we're never going to resolve anything. I wish we would decriminalize and legalize marijuana. I have said that in the past. There is no new secret there. We are fighting an unwinnable war, the whole thing is ridiculous. We have inordinate federal resources building prisons when we should be putting the smokestacks back up in Hazelwood and make them clean so everyone can live and have quality union paying jobs. But I would rather speak for an hour at length now about a complicated sensitive issue and I am sure everybody will criticize me on like they did the Rico

Statute and showing gang members pictures on TV, I will defer to the discussion in the fall.

Any other discussion, hopefully not on Weed and Seed?

Mr. Hertzberg:

Thank you, Mr. President Emeritus. You may recall a debate and my estimate it was at least a year ago. I believe Councilman Onorato introduced legislation on public intoxication. We were given arrest powers; our police were given arrest powers for a number of summary offenses. One of which was public intoxication. However we were required to have implementing regulations for our police on the arrest for the summary offenses.

I believe it was about a year ago we had discussion and debate on legislation. As I said I believe Mr. Onorato drafted. I know it wasn't a unanimous vote but none the less this Council did approve that legislation and here we are probably a year later or so and to my knowledge the police are not in fact making any arrests for the summary offense of public intoxication. They have been unable to work through some of the issues involving hospitalization of people that are publicly intoxicated, dealing with the County Jail on that issue, training police officers to be able to do that.

So we're at a point where we have something on the books, we have expectations from the community and this is where I am hearing it from, the community. That when there is someone that is probably intoxicated, that is causing a nuisance, they are not able to get any response from our police because of the

current situation. And what I would like to do is have a post agenda. Maybe we can get something rolling or at least become more informed on why we can't implement this legislation. I want to make a motion to hold a cable cast post agenda on this issue.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion?

Could I please ask that some of the agencies be involved? It was at the twilight of the Masloff administration the first year of the Murphy administration when the annual appropriation and relationship with the Salvation Army Public Inebriant Program was defunded. And I think that goes back to the heart of the part of the problem is where to take these individuals as opposed to the county jail.

Now I am not saying let's not enforce the law, we should, but I would ask that some other players be brought to the table to discuss the broader issue of public intoxication and inebriation and how the police need to effectively deal with it as a community problem. I will defer some names to Councilman Hertzberg on that. Any other discussion?

Mr. Cohen:

I introduced a bill today to amend the enabling statute under LERTA the Local Economic Revitalization Tax Assistance Act to allow for a five-year tax exemption for conversion of old industrial

sites to residential use. Essentially for lofts and be able to promote loft development in Pittsburgh. I did not waive rule eight on it. I just wanted to say I look forward to talking each and every one of you before it comes up a week from tomorrow.

This is legislation that I believe would be useful in all of our districts including my district but certainly downtown, Lawrenceville, Southside, North Side, West End. Every one of our neighborhoods has some older warehouses or other industrial sites that can be converted to loft use. Last year PUMP that Pittsburgh Urban Magnet Project had a tour of the few lofts that are available in Pittsburgh now, 600 people showed up on a Sunday afternoon. So there is a penned up demand there and not much supply.

I don't mean to get into a discussion of it today but I just wanted to let you know about a little bit about the bill and just to say that I look forward to sitting down with each of you individually before it comes up for preliminary discussion. Thank you.

Mr. Udin:

Yes. I want to thank Councilman Cohen for bringing forward the bill on converting industrial buildings. My office has been working on a slightly different but similar bill perhaps the two can be combined. We have been trying to develop legislation to promote downtown living, more residential living downtown. So if your bill can be expanded beyond just industrial conversion to other kinds of buildings that could be converted into either lofts or other kinds of residential living in commercial areas, then perhaps

we can work together and have a single bill.

Mr. Cohen:

I look forward to sitting down with you.

The Chair:

Thank you. And again in the past one of the criticisms of the tax abatement LERTA Program is that the county and school board do not participate so it has never been as much as the incentive as it could or should be. I would ask if it is possible for some representatives from those other two entities be present for your discussion, I would appreciate it.

Mr. Hertzberg:

Footnote purposes, the county has started a LERTA Program, at least with residential construction. They have a two year county tax program for new construction. I don't know the full scope of it, but they do now have a county program. I don't know of any school program.

Mr. Cohen:

No. Councilman Hertzberg is right. Just on that point, I talked to them several times. The program that they have is for new construction, ground up construction or renovation to a commercial use. What they don't have is renovation of either commercial or industrial buildings for residential use. That's really the gap that this fills. But you are absolutely right that the School Board and the county need to be on board with this.

My plan was if this passed City Council, to then go to the School Board and the county and try to get them to pass the same kind of legislation. It doesn't matter to me what order that is in.

The Chair:

In previous administrations that actually urged Council to eliminate the abatement program and at one point we overcame a vote on the Caliguiri administration on the program. So there are some back reports on the success or lack there of the program in terms of how much it actually provides as an incentive. They were commissioned by Finance Director Hailer (phonetic) at the time.

Any other discussion? I look forward to that debate.

I just want to make an announcement. Engineering and Construction has been working hard at one of the Public Works certainly throughout the city, but we do have an official groundbreaking at the new playground in the new Garfield Community. There has never been a playground there. There was some abandoned houses that got demolished and we assembled city lots with the support of this council. This is the Nelson Mandella Peace Park. The ribbon cutting will be this Wednesday, July 21st from 5 to 8 p.m. I believe the Mayor will be there about 5:30 and we are going to have some food and we are trying to get a reggae band and I wish to have a good party on the street out in Garfield.

However, unfortunately the midnight plumbers came the other night. I call them the midnight shrubbers is a more appropriate term. I would like to offer a

\$500 cash reward to any information leading to the arrest or conviction of any individuals who can provide us what details on why some evergreen shrubbery disappeared in the middle of the night. I think it was done by a landscaping sleaze person who chose in the middle of the night to take one of the trees. But unfortunately in an attempting to use a chain to get the other two out they actually just broke them off.

I want to apologize to the community, we cannot replant those trees until the fall. Engineering and Construction has worked very hard on this playground, it is a beautiful amenity to the Garfield Community. If there is anybody who saw anything at one or two o'clock in the morning, about a week ago, I would appreciate hearing from them and if we can get some information we will have the police follow up but that is not going to rain on our parade. We are going to proceed. It is a beautiful playground. We will get the trees back. We will make whatever improvements we need to make. But it is Wednesday, July 21st, and my colleagues certainly are welcome to come out. It is being co-sponsored by the Bloomfield Garfield Corporation and the new Garfield Business Association who is going to help with some of the food and Garfield Jubilee and it is a great event in the Garfield Community.

Mr. Udin:

I just want to add just your mention of Garfield reminded me of a resolution that the Housing Authority passed yesterday to build in conjunction with UPMC a new clinic on the first floor of the Garfield high rise. We're also pursuing opportunities to open up some kind of

store or supermarket in the area so there are a number of things on the planning board for Garfield which is a community in desperate need of support.

Mr. Onorato:

Briefly, I just thought of this when Councilman Udin was talking. Councilman Udin sent us a memo last week and he and I talked. I just want to bring it up here because I want to clarify this point publicly but also move forward and ask my colleagues to participate.

Last year during the budget, and Councilman Udin's memo he asked us about an amendment that several of us sponsored. I know I was a big part of it. I remember specifically the conversation and that is trying to divert some of the development funds back into our neighborhoods. The agreement that we reached was about a \$150,000 would go into each Council District with an additional \$150,000 being allocated through the Mayor's Office for a total of a million five. That was put into the capital budget. It was discussed.

Now I want to make it very clear, I sat in the meetings. I was there. The discussion was they would be development grants put into the neighborhoods. They were not loans to be paid back. There seems to be an issue that Councilman Udin was confronted with and he asked us anyone recollecting and also if we have any suggestions of what the development projects are. I can tell you it was very clear. These were going to be grants going into the neighborhoods that do capital projects because we decided to put some of the development funds back into the neighborhoods because

historically so far they have been going to big projects either downtown or along the rivers, which I am not criticizing. This was an agreement to go back to the neighborhoods and I would hope that that issue gets resolved and that council don't forget your plan should be brought forward through the URA and suggestions of what and how you want to spend that money.

Mr. Udin:

I just want to encourage Council colleagues to develop those plans early rather than waiting until the end of the year.

The Chair:

Just to clarify, my discussion as of a few weeks ago with the URA was that they were a set of draft guidelines on how the URA will handle and disperse the funds. I didn't think it was unreasonable that it be a low interest loan if it is a commercial or residential development but I sense that it is pretty much each thing will be evaluated separately based on its merit and what its financial needs is. I have a large project the abandoned Calla Hill apartment house, which should be condemned and demolished. We are looking at that as a major project where this extra money could be a decisive factor on whether or not we can resolve that housing plight.

Mr. Hertzberg:

My recollection goes a little bit further back I think in this whole thing. That was early on in the budget discussions where we had a large gap to fill and I had some discussions during our budget deliberations with the Mayor's

Office concerning how much there was available through repayment from the Pittsburgh Development Fund. I think we were able to get them to a figure of one and a half million.

I introduced an amendment during the budget to try to actually take the one and a half million and plug it into our operating budget. The point being we can't afford to have this development fund for ever whenever all of our other budgetary problems which we all characterize as very dire that Pittsburgh development fund, the source for those monies is actually the RAD funds which were meant to be in our operating budget. So my suggestion at that point was let's end the development fund. We need to do that. We need to begin diverting the money back to where it belongs in the operating fund.

Well I introduced this amendment and before anything could move forward on it suddenly there was found money to make up the gap. We didn't need to do it this any more and that is when Councilman Onorato came in and said let's take it and do something else with it. Now what we were going to go with it I think was left pretty general. But I don't want to -- I don't know who recalls what or what exactly was involved but my point, I think if we're talking about ending that and using it specifically for the City's cost the operating budget, that's one thing. But I think if we're going to take that money and give it to private developers that it should continue to be what it has been and that is a pot of money for low interest loans as the Pittsburgh Development Fund.

The Chair:

Can I suggest two things? First of all, there is not a dichotomy necessarily between what Council would do at the end of the year and to the future on the revenue source as opposed to already having agreed that the one million five is there. I would suggest that the other two, yourself, Councilman Hertzberg is a board member of the URA that you facilitate some discussion so we can resolve what are the actual guidelines as a loan, as a grant what the interest rate will be, how do projects get on line? I mean I have already been working with the department on a specific project, I am sure others have also. And then separate that from what will happen in the future about whether or not there will actually be a fund of this sort and whether or not we actually return the money back to redirect through a (inaudible) route the Rad money back to the operating.

Mr. Onorato:

I just want to point out what Councilman Hertzberg just said was completely accurate and the way I recall it.

There is one other piece and that was right after that then when I got involved after we decided, the administration decided not to use it. I want to point out the million five represented payments back from loans and they expected about a million five coming back into the fund. Now I sat in on a meeting where it was Deputy Mayor Cox and the Mayor himself during the flurry of budget discussions. If you recall one of the concerns at that point from the administration was they didn't want to transfer the million five from the URA to the operating. The compromise that we arrived and I was in the meeting, if we left it -- why don't we leave it in the URA, and

do \$150 developments in our districts and then if somebody wants to create a low interest in the project that you are doing that's fine.

However, if you wanted to put a \$150 thousand into a development project albeit a grant that was an option also. There still would be requirements obviously it had to be a good plan, it had to be a legitimate plan and have funding. But I have two items that are happening in my Council Districts that they are not considered loans going into the deal. And I would hope that that commitment continues there on this particular one but this was one time using the pay back money and it wasn't considered to be ongoing, it was \$150 to get some projects jump started like we do on the big projects. That is what I hope that it continues as.

Mr. Udin:

These are issues that we are going to have to resolve during this upcoming budget discussion. We will soon be approaching the beginning of August when Council will be in a month long recess. I would encourage colleagues to use that time to develop their thinking in some ideas around a number of issues because as soon as possible we get back from that break there are important budgetary policy discussions that we have to have.

We have been waiting for the administration to advance a proposal on the use of the fund balance. That proposal has not been forthcoming. I would propose that Council needs to determine its own policy and view on the use of the fund balance and present it to the administration since we have gotten

nothing from the administration. The same is true with our own plan and thinking about budget priorities and the elimination of the structural deficit.

This past year for '99 budget we took a pass on the structural deficit. We can't continue to do that. We need to have a plan even if it is a long-range plan, a five-year plan on how we are going to eliminate this structural deficit. Councilman Cohen voted against the budget for '99 because of the existence of the structural deficit. We need to make it clear to the administration, to the new Finance Director, that we're not going to take a pass this year. We're going to confront this difficult issue no matter how difficult it is and we need to begin developing those priorities as soon as we get back.

We need to have our own goals for the year 2000 and perhaps the next five years. We need to work as a team setting our own priorities and goals as Council. Councilman Ferlo has taken the initiative in starting to develop some neighborhood goals for the capital government we need to do the same for the operating budget to establish our own (Inaudible) on the budget. But all of that will begin in earnest as soon as we return and I hope we will use that recess to develop our thinking on that.

The Chair:

Thank you any other comments. Hearing none, motion to excuse the absent members.

MR. UDIN moved to excuse the absent members.

ADDENDUM

Mr. Hertzberg's comments on Bill 1777 can be found in the Standing Committee Meeting Minutes of July 7, 1999.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Udin, the meeting adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR..... President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO..... Deputy City Clerk

Pittsburgh, PA
Tuesday, July 20, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please stand. We have a special presentation of the Colors by the 171st Air Refueling Wing.

(Presentation of the Colors)

The Chair:

Thank you. Our soloist was Chief Master Sargent George Salamacka (phonetic). And we also have a very special guest with us to say the pledge of allegiance, Dianna Parrish.

She is a second grader from Bishop Leonard School. She is seven years old and she is accompanied by her mother Annie and also Michele Balcer and she is from Gene Ricciardi's District.

And we also would like a moment of silent prayer for peace and hope throughout the world. We certainly send our prayers to the Kennedy family. I know there is a lot that is said but they certainly are America's family and it is a tremendous loss for all of us.

Dianna Parrish:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Dianna. We have a special gift for you.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Diven:

At this time I would like to call up the students from Schenley and Brashear that were involved with the state debate, the championships. At this time, colleagues, I would like to recognize some really incredible young adults who put the City of Pittsburgh on the map. I know we were fortunate we had the opportunity a lot of times to bring in some of

our athletic champions and hear some kids who really worked hard in academics and really, really excelled in forensics and the debate team. So with that I would like to read the proclamation and acknowledge their success.

MR. DIVEN PRESENTS:

No. 1837 WHEREAS, this was the second year for the National Barbara Jordan Youth Debate on Health, sponsored by the Kaiser Family Foundation and the National Forensic League and,

WHEREAS, this year the debate focused on the topic of whether or not federal funding for sex-education in our nation's schools should be allocated for "comprehensive" or strictly "abstinence-based" sex-education programs and,

WHEREAS, this is the first year that Pennsylvania was included due to a grant written by Duquesne University professor, Dr. Susan Wenzlaff, and Jim Dutcher, a Ph.D. candidate, and

WHEREAS, funding has been secured to ensure that the regional competition in Pittsburgh will continue at least through the year 2001 and,

WHEREAS, the two regional winning teams from each participating city not only won scholarship money, but was awarded a 5-day all expenses paid trip to the N.B.J.Y.D.H. Finals in Phoenix, Arizona on June 17-18, 1999, to represent their respective cities and,

WHEREAS, the 1st Place team representing Pittsburgh were Schenley High School seniors, Pete Finelli and Tanisha Jones, coached by school counselor, Jeff Spadafore and the 2nd Place team representing Pittsburgh were John A. Brashear High School sophomores, Marcus DelRaso and Jillian Radley, coached by teacher, Nathan W. Geller.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate these students for their outstanding performances and wishes them the best of luck in the future.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

Like I said anyone want to step up and talk about some of their experiences and share with Council some of the highlights of the process that you went through.

Speaker:

Sincere thank you to City Council for accommodating us, fitting us into their busy schedule and more specifically to our Councilman Michael Diven. Thank you.

Peter Finelli:

My name is Peter Finelli and I was from Schenley High School. Basically I am just up here to explain the amount of work put forth by our students and by our counselors. One of them isn't here his name is Jeff Spadafore and he did an excellent job I am grateful to work under these people. I am grateful to actually have the opportunity to work with people from Brashear. Despite the fact that they were sophomores, the maturity level was greater than mine at this point. But also as I look down here I see that I am dwarfed by all the other people who are here to commemorate today and I have to say that there is just no greater feeling to look out at these men and women here. The men and women I see from the flights that were helping our people down in Kosovo there is just no greater feeling looking down and realizing that we are a great country based on these men and

women around us. And I can't ever explain the gratitude I have towards you and those who came before you.

And I have to say I was in Guatemala for the last two weeks and I am so thankful to live in a country such as this where we have people like you that are willing to put your lives on the line. People that are willing to put themselves forward to say yes I believe in the country that I live in and I am not going to let it fall and I am not going to let anything wrong happen to it, because this is what I believe. And this is what we believe and this is what I am hoping every one in this room believes, we all owe you a debt of gratitude. Thank you.

Mr. Diven:

You don't live in my district do you? I am afraid I am going to get challenged next time by this young man. Congratulations.

But I would like to thank all of you. I think you have really done something tremendous and I am sure we are going to be keeping an eye out for your success in the future. So once again thank you and we will get a picture here with the group of you with the proclamation.

The Chair:

Thank you all.

Mr. Diven:

At this time I would like to call up Officer Cookie Coleman and her guests from the Junior Police Academy.

With that I would like to recognize all the hard work all of you guys have put in completing the Junior Police Academy. I know this is something that you guys put a lot of time and effort into and its an honor to have you guys in front of Council. And I would also like to thank Cookie Coleman and the rest of the people that have worked to put on such a wonderful program. So with that I will read the proclamation.

MR. DIVEN, MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1838 WHEREAS, the Pittsburgh Junior Police Academy represents a unique experience for Pittsburgh area youth to understand the complexities of law enforcement and its place in their lives; and,

WHEREAS, the Pittsburgh Junior Police Academy curriculum is the same used to train police officers so that you gain a perspective of law enforcement that prepares them for more responsible citizenship and participation in their community; and,

WHEREAS, the Pittsburgh Junior Police Academy also teaches students the importance of law enforcement, its history, organizational structure, officer safety, personal safety, drug awareness, first aid and the opportunity it affords youth to develop meaningful relationships with police officers and other law enforcement representatives; and,

WHEREAS, the following students were involved in the 1999 sessions:

Class 1

Marissa Alexander
Keshia Bailey
Justin Budd
KiArra Burgess
Joshua Bryd
Martie Collins-Wood
Shaquela Day
Alaina Demus
Brook Grant
Solita Hillard
Shaquille Jackson
Darron Jett
Chequala Jones
Markia Jones
James Lockley
Dayron Malloy
Tiasia Malloy
Donell Owens
Shaila Porter
John Steele
Marcus Steele
Darryn Thompson
Keia Thompson
Lacqua Washington
Anthony Williams

Class 2

Mary Jo Barbish
Marcus Branch
Marissa Brooks
Martel Brooks
Hannah Canter
Anthony Collier
Tyler Coughenour
Richard Cruse
Kendall Griffith
Rachel Jeffrey
Ross Johnson
Ronnice Massengill
Ronald McGinnis

Rashan Mixon
Dionna Palmer
Derek Papakie
Brandi Redinger
Shannon Redinger
Timothy Scaine
Alyia Smith-Parker
Angela Stewart
Brittney Wade
Jenniifer Welsh
Kevin Weltz
DeVaughn Whitson
Amber Williams
Vincent Wooten

WHEREAS, the Pittsburgh Junior Police Academy remains a continued success through the dedication and commitment of Detective Ophelia "Cookie" Coleman, Officer Sue Lippert, Officer Richard Speth, Officer Carol Collier and Volunteers: Aggie Patchan, Donna Kramer, Anthony Williams and Brian Kramer.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend these students and the Pittsburgh Junior Citizens Police Academy for a job well done; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh in recognition of their successful efforts declares Tuesday, July 20, 1999, as, "Pittsburgh Junior Citizens Police Academy Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to ask Detective Coleman if she would like to come up and say a few words and maybe we will hear from some of you guys if you feel up to speaking today.

Ms. Coleman:

Thank you very much. Good morning everyone. I thank you Council President Bob O'Connor and Public Safety President Michael Diven. I thank you for this recognition. It is kind of hard for me today to talk to you. To stand before you to talk to you because as of Monday I will no longer be Coordinator of the Junior Police Academy nor the Citizens Police Academy.

I would especially like to thank Councilwoman Valerie McDonald for bringing this to I guess to fruition by having me before City Council in 1995 when you know you had a lot of problems in the Pittsburgh Police Department. And you were she was looking for police reform and trying to find a vehicle that would bridge the community and the police together. And at that time no one stepped forward but I did step forward with a plan and we used that plan and that plan has worked. I don't know who will be taking my place that I guess that isn't any of my business to know that. But all I was told was that I was a police officer I was a police detective and I was working outside of my description.

While I stand here before you all today to tell you that I am a citizen of the City of Pittsburgh. I am a concerned resident and I have a job as a police officer and that job is to do what ever it is to affect the quality of life. And that is to make it better for everyone concerned. And I thought I was doing that job.

The goals of the Junior Police Academy are this: to provide youth with a perspective of law enforcement that will prepare them for more responsible citizenship and participation in their community. To develop an informed leaders

with a strong sense of their role in maintaining a safe and healthy community. To provide youth with opportunities to develop meaningful relationships with police officers and other law enforcement representatives. To utilize the JPA members as mentors, tutors, youth leaders and younger community youth. And that's what we have done because we have had some children that were in the last classes that have come back to be mentors and leaders. And to develop interagency mechanisms to support the Junior police academy club the school activities throughout City of Pittsburgh. And to enhance the community assets by encouraging proactive relationships between promoting a sense of ownership on the part of and ensuring dissemination of information and resources to all members of the Junior police academy as well as the general public.

And I stand before you today and thank you for giving us the opportunity and pretty much giving me the opportunity to live that out. Thank you.

Mr. Udin:

Mr. President, if I may? I don't know Officer Coleman if you had the opportunity to watch the session of Council when we expressed our displeasure with your having been removed from the academy and our support for and appreciation for all the work that you have done in initiating that institution and making it successful? But this presents an opportunity for us to reiterate that support not only for the work that you have done with the academy but the work that you have done with the guardians, the work that you do in the community. And where ever you find yourself on the police force I am certain that you will be doing a fine job as a professional police officer and I for one am glad that are you on the police force. Thank you.

Ms. Coleman:

Thank you.

Mr. Diven:

I would also like to --

Ms. McDonald:

I was going to ask Mr. Chairman Diven if one of the academy graduates would like to speak?

Mr. Diven:

Before I do that, I just want to reiterate with what Councilman Udin said. I have had the opportunity to work with you on a number of events including the police and community together picnic. And the amount of time and the amount of effort you put forth to building bridges and making the city a better place can't go out without being noticed. I thank you for your work and I am sure you're going to continue that and if there is anyway myself or Council can be supportive of your work feel free to contact us and we would like to continue that relationship.

Ms. McDonald:

And to Councilman Diven I wanted to ask one of the children but if we're -- while we are staying on the Cookie Coleman subject, Cookie, you represent -- you are the epitome of what community police relations is all about. You have been on the forefront, you have been a soldier out there trying to work trying to get police officers to understand the community and yet being in uniform so that you get the community to understand the police officers point of view. You have been out there for years and I do give you all credit this was her idea. It was -- I don't care there has been a lot of credit taken, this was Ophelia Coleman's idea for this Citizens Police Academy. And that is why you were at the table.

I applaud you for it, it's a wonderful concept. I look forward I want those sessions

taped. I think I have talked to you about that. So that the entire public can have access to this valuable information not just 20 or so people but the entire public and that we can continue making sure that this academy is funded. So I do applaud you.

I agree that where ever you're going to be you know sometimes when God shuts one door he opens up another one. Now you know that I don't want to preach to you. But I think that this is probably going to be a bigger door you're going to enter so that you can effect probably a bigger change and continue your success.

Ms. Coleman:

Thank you.

Mr. Cohen:

I just wanted to join in, in the support of Cookie Coleman. I have known her for many years, she has a tremendous dedication to the community and has done an excellent job. We actually did make a formal motion last week, Mr. President, to get a written explanation from Chief of Police McNeilly. And I know that we passed that motion unanimously. I don't know whether we received an answer yet from the Chief regarding Officer Coleman's status with the Citizens Police Academy. But if not, I would hope we would very soon and I think we need to pursue it further.

The Chair:

We will send request today.

Any of the youngsters want to say a few words and tell us about the academy, tell us what you do.

Davole (inaudible):

My name is Davole (inaudible).

Mr. Diven:

How did you like the police academy?

Davole:

It was fun.

Mr. Diven:

What did you guys do during the police academy?

Davole:

We went to see the canines and we went to the shows and --

Mr. Diven:

Anyone else want to say anything?

Speaker:

I just want to thank everyone who helped Detective Cookie Coleman make the police academy and it's been a lot of fun going out on places and learning all the stuff that we learned.

Alyia Smith-Parker:

My name is Alyia Smith-Parker and I just want to say thank you and that the police academy is lots of fun and we learned a lot on the field trips we went on so far.

Mr. Diven:

Anyone else?

The Chair:

One last speaker.

Tashana (Inaudible):

Hi, my name is Tashana (inaudible) and I want to say thank you for everything you have all done for me in the police academy. It was

very fun.

The Chair:

We will get a picture with all Council. But Officer Coleman, I want to thank you and echo the sentiments of our other colleagues but words, actions speak louder than words. Look at the results. There are certainly great young people here that you are keeping busy and off the streets and maybe they can be in the Air Force some day, future recruits.

Mr. Hertzberg:

The representatives from Three Rivers Center for Independent Living, please come forward.

In 1990, July 26, 1990 to be exact, the Americans with Disabilities Act was signed into law and every year Three Rivers Center for Independent Living here in Pittsburgh has a get together to celebrate and commemorate the signing of the Americans with Disabilities Act. This Saturday July 24th they will be sponsoring the Walk and Roll for Accessible Pittsburgh and this proclamation is to honor that event on Saturday. Let me read it and it is also sponsored by Council President Mr. O'Connor. I am sure he will want to have a few words to say.

MR. HERTZBERG AND MR. O'CONNOR PRESENT:

No. 1839 WHEREAS, Three Rivers Center for Independent Living, located at 7110 Penn Avenue, Pittsburgh, PA 15208, is a non-profit, consumer-controlled, organization dedicated since 1980, to empowering individuals with disabilities to take control of their lives and to live independently and productively within the region; and

WHEREAS, on July 26, 1990, in a history making event, President George Bush spoke of challenges, optimism, and dreams when he signed into law the Americans with

Disabilities Act, the most important civil rights legislation enacted in the past 25 years; and

WHEREAS, Three Rivers Center for Independent Living has a tradition of commemorating the anniversary of this important event by holding an annual march for freedom and independence, that has been affectionately called "Walk N Roll"; this year the name has been modified to Walk 'n Roll for Accessible Pittsburgh (W.R.A.P.) '99 and

WHEREAS, this year's "W.R.A.P." which is co sponsored by Carnegie Mellon University and the University of Pittsburgh, will take place on Saturday, July 24th from 9:00 A.M. to 5:00 P.M. with the goal to heighten awareness of the physical, attitudinal, systemic and communication barriers that exist for over 500,000 individuals in Southwestern Pennsylvania with disabilities and a celebration of the positive effect on society when barriers are removed; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Three Rivers Center for Independent Living and its Co-Sponsors for heightening public awareness of the barriers that confront people with disabilities; and,

BE IT FURTHER RESOLVED, that Pittsburgh City Council proclaims July 24, 1999 as WALK N ROLL FOR ACCESSIBLE PITTSBURGH DAY in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.
Which motion prevailed.

Mr. Hertzberg:

With us Bill Christner is here, he is the Director of Three Rivers Center for Independent Living, we also have Amy McWilliams who is a

civil rights specialist at Three Rivers Center for Independent Living and Julie Parah who is an administrative assistant at Three Rivers Center for Independent Living. I don't know, Mr. President, if you wanted to speak first or we will let Mr. Christner speak.

Mr. Christner:

Thank you. I want to first of all thank City Council and Alan and Bob O'Connor for their continuous support of Three River Center for Independent Living in the pursuit of our mission into enable people with disabilities to live independent and productive lives in the community.

I want to thank all the Council members who came last year to the Walk and Roll and again invite all of you to come and join us on Saturday. We're going to be walking from the University of Pittsburgh starting around ten o'clock over to Carnegie Mellon where we are going to have a big rally and some speeches and Dick and Jean Thornberg are going to be leading the parade and we expect the Mayor to be there. So I hope all of you come and Sala Udin gave a tremendous speech last year to the crowd and I hope Sala you have time to stop by and inspire us again.

Mr. Udin:

I will be there.

Mr. Christner:

I want to thank also our co-sponsors, Carnegie Mellon University and University of Pittsburgh for helping us to make this an even bigger and better celebration.

Three Rivers Center for Independent Living as was mentioned in the proclamation is dedicated to the principle that the barriers architecture, attitudinal, systemic and communication those barriers that people with disabilities face on a daily basis are what's

keeping people with disabilities from being a part of the main stream not our disabilities. We believe that we don't have to overcome our disabilities in order to be productive contributing members of the community we have to overcome that attitudinal and physical bias that we face every day. We believe that once those barriers are removed people with disabilities can be a vital part of and should be a vital part of this community. With your help we know that that can be accomplished.

We would like to certainly to try to educate some of these junior academy kids that help us identify some of these barriers. There is a lot of roadwork going on and I am not sure I see a lot of ramps being installed and we need to have someone keep an eye on things to make sure that we're following through with what our obligations are under the law.

Saturday is dedicated to equal opportunity for people with disabilities. And it is a celebration of our civil rights and the recognition that we are in fact equal citizens in this great country. And I hope all of you will join us and be apart of that. We brought brochures and newsletters and pledge forms so you can all on Council be apart of this and join us to celebrate equal opportunity for everyone in Pittsburgh. Thank you very, very much.

The Chair:

Thank you, Bill and as co-sponsor I think all Council members certainly support your initiatives and the work of the Three River Center for Independent Living does. I think the key thing is your attitude and motivation certainly gets all of us involved not only the motivation part but you educate a lot of us and from Councilman Udin very emotional speech last year at Three Rivers Stadium to all Council members and I don't want to exclude anyone you know you have our support. Councilman Hertzberg and his family members have suffered from disabilities and he certainly leads the

charge in Council. But we have all from your leadership I want to thank you and we're all behind you a hundred percent.

Those ramps I know you're going to be out checking them and we will certainly put the money there and they should all be done and they better be on schedule. Thank you for all you do for so many people.

The Chair:

Will General Boardly and the members of the 171st Air Refueling Wing please come up? You can all come up.

Again thank you all for coming down. This is a welcome home resolution from all of Council and all of the people not only Pittsburgh but I believe Western Pennsylvania want to thank you for all you have done and not just recently but the general. I have been involved in the Salvation Army they have done tremendous work as far as transporting food at Christmas they have all been involved and they're 1400 members strong at the airport.

They have 400 full time staff out there and I will let the general tell you a little bit more about what they do but they're on call every day, year around, helping Americans or people all over the world for different projects. So not just Kosovo but we're certainly all back safe and you have done an outstanding job and we all really appreciate you coming down and all you have done for all of us. And I will read the proclamation again on behalf of all Council members.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1840 WHEREAS, the tradition and concept of the citizen-soldier has been a key element of our nation's military tradition, from the opening battles of the American Revolution at Lexington and Concord to the present day; and,

WHEREAS, today's National Guard consists of citizen soldiers and airmen who serve our Nation and States with unparalleled professionalism and give selflessly in the service of our country at great personal sacrifice to themselves and to their families when called upon by their country, and;

WHEREAS, the Greater Pittsburgh area is honored and privileged to be home to the 171st Air Refueling Wing whose mission is to prepare for combat, to perform world-wide refueling and airlift missions; to provide global reach for global power projection in support of national objectives and, to provide trained personnel to support state and local authorities in time of natural disaster or civil strife at the command of the Governor; and,

WHEREAS, the 171st Air Refueling Wing has served our state and our nation with great distinction in war and peace in Vietnam, Operations Desert Shield & Storm as well as performing worldwide operations on a daily basis; and,

WHEREAS, on March 24, 1999, the United States, in conjunction with our European allies in NATO, initiated military action to prevent the ethnic cleansing of the Yugoslavian province of Kosovo, which required the 171st Air Refueling Wing to activate a significant number of citizen airmen to serve in support of this effort and requiring them to leave home and family in service of their country. On June 20, 1999, this military action came to an end and now those who served are, thankfully, returning safely home.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby express our sincere thanks and appreciation to all of those who, at great personal sacrifice, served with distinction in the 171st Air Refueling Wing during the conflict in Kosovo, and gladly extends to each

and everyone of them a warm WELCOME HOME!

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in honor of the 171st Air Refueling Wing's successful completion of its mission in Kosovo and, for its many ongoing contributions to the well-being of our community, does hereby declare Tuesday, July 20, 1999, as "THE AIR NATIONAL GUARD'S 171st AIR REFUELING WING WELCOME HOME DAY" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Boardly:

Thank you, President O'Connor, members of the City Council and all of you young recruits in the back of the room. As you said in the proclamation, over the last 50 years the citizen soldiers from the Pittsburgh Air National Guard unit have been called to duty on numerous occasions and most recently we sent over 400 of our troops to (inaudible) in Germany and Budapest in Hungary. Over there we flew 477 missions and off loaded over 18 million pound of fuel to over twenty-three hundred NATO receivers. And the folks that did it come from all walks of life. We got doctors, lawyers, we got airline pilots firemen, policemen, farmers, teachers you name it they're the folks that you invited here today and I thank you for bringing them here to honor them.

On their behalf I would like to thank you for this honor and also take this occasion to invite you to come out to our base so that you can see first hand an air refueling at 20 thousand feet over the City of Pittsburgh going 500 miles

an hour done by citizen soldiers in the City of Pittsburgh and the local community. Thank you.

The Chair:

Anyone else, anyone from the city maybe -- here comes one here.

Mr. Cereone:

I live in the City of Pittsburgh I would like to thank City Council for having us here today. I would like to thank the people of the City of Pittsburgh for supporting us especially the employers. Thank you.

The Chair:

We have a Pittsburgh firefighter.

Mr. Fitzpatrick:

My name is John Fitzpatrick I am over at Engine Company 31 in the West End. We are real proud, really happy to be a citizen of the City of Pittsburgh and to serve you the public safety and the Junior Citizens Police Academy back there. To stay with it and we're backing you and you backed us. And City Council we thank you all you for your continued supported. See you in the air.

Mr. Ross:

My name is Darryl Ross. I am also an employee of the City of Pittsburgh with the Bureau of Fire and I would just like to thank everyone for their support and just remind City Council I will probably need a raise.

The Chair:

Did Joe King send you? I believe there were five firefighter and there still are three or four still over there who haven't come home yet Pittsburgh firefighters that helped us.

So again on behalf of all of us thank you so much for what you do on a daily basis not just in Kosovo but we certainly sleep better. And wasn't it something to hear the young people what they appreciate after they leave maybe their homes and see what is out there. So there is a lot of open with your help there is a great future for all these young people. So thanks a lot. Can we bring all Council's members up for a picture?

All please stand while we retire the colors.

(Colors were retired)

Ms. McDonald:

Would representatives from the community fitness center please come forward to receive the resolution?

Thank you. I will read the resolution and add some remarks and then I will ask the representatives from the community fitness center, Mr. Art Johnson and Mr. Percy Fonville to make some remarks.

MS. MCDONALD PRESENTS:

No. 1841 WHEREAS, the Community Fitness Center is the continuation of the fitness program that was located at the Kingsley Association for the past 12 years; and

WHEREAS, the purpose of the program is to conduct youth oriented fitness programs to enrich the lives of displaced East End youth; and

WHEREAS, the Center will provide a necessary outlet for displaced youth who are not in supervised environments. The youth will also receive ongoing mentoring and have the opportunity to participate in job training programs. This aspect of the program will also provide an incentive for the youth to further

enrich their lives by learning necessary survival skills.

WHEREAS, as well as addressing physical needs the Center will also address spiritual and social needs of each individual.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Community Fitness Center for continuing and expanding a fitness program that will enrich the lives of our youth.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you. I received a phone call from Percy and Ed Steve who asked me to come down to the fitness center on Broad Street. The first time I had heard about the fitness center is when Mr. Steve attended a community meeting and he had complained to me about garbage and litter that was constantly being thrown in front. And we had my staff member Twanda Carlisle had worked with environmental services as well as others to make sure that this problem was resolved.

In the mean time things have gotten much better at the community fitness center but they still are struggling and they do need support, they need monies. This is not a typical Bali's or fitness club, you know Club One this is not like that. This is a fitness center that reaches out to the community who other wise would not have access to this, who cannot afford it. But they believe that your physical as well as spiritual well being go hand in hand. It does go hand in hand so therefore this is not a super mega for profit fitness center they need help.

When I visited the center, I was quite

impressed with your equipment, and with the mental attitude that they have. And how many people come by. They just come by. And again in the African American community because I say it we need more fitness okay. We have there is weight problem, high cholesterol, high blood pressure, poor eating habits, etc, etc, etc. So therefore I believe in fitness.

I had told Percy and Ed and Art I said you come to Council at the end of the month and make sure that the public is aware of who you are, where you are and what you are all about so that you can have more support for this initiative.

Again, this is a community fitness center. In that after leaving I was challenged, I was challenged. Now I am not perfectly fit but I am getting there, I am getting there. I am at an age now where fitness means something to me. So they challenged me for Tae-Bo. Now I told them I have bad joints, bad knees but I am going to do it. When I do it, I am going to make a splash and I am going to challenge, I am going to challenge you all and anybody else I can find that is silly enough to come with me and do this Tae-Bo. So I am going to show off. You wait and see. You are going to be impressed.

Again, I encourage all of you all to come by the fitness center. I think you will be very much so pleasantly surprised. And by the way all the litter and the garbage that was left in front of that fitness center people no longer leave litter they respect it. So again without further ado, congratulations.

Mr. Fonville:

First of all my name is Percy Fonville I am the Executive Director of the Community Fitness Center.

First of all I would like to thank Councilwoman Valerie McDonald for taking time out of her busy schedule to come out and

visit the center and the facility that we provide for the youth and the community of East Liberty. I created that program with a couple of friends of mine that branched off from the Kingsly Center Association that no longer promotes this program. We thought it was very, very important to provide a physical and mental aspect of our program in East Liberty.

And just a narrative for what it is about. Community fitness center, strives to serve the East End Community with a program of building spirit, mind and body as a non-profit community service organization. Located in the heart community live CFC works to improve the quality of life. CFC program proves to build value of caring, honesty, respect, and responsibility. CFC is for all faith, race, ability, ages and income. CFC believes that all -- the CFC believes we all need a place to belong, a place where generally we care about one another and share with decisions, treat each other with respect, pull together for a common cause. The CFC brings people together from different walks of life together in an environment where we can all feel comfortable. The center is a natural for the idea to help solve community problems. Things can be done by working with other communities and organizations such as community fitness center.

And we just first of all I would just really, really like to thank Valerie for coming out and supporting us. We encourage like other City Council people to come out to the facility, see what we are doing, see what we are working, see what we are providing for the community. It is funny, I just need to say this and then I am going to close, it is funny how our community is coming back together and I was sharing with Valerie how the older generation and the younger generations has come together is starting to bridge the gap.

I was coming through East Liberty and an older guy you know him, he is an older guy with his head down walking past the youth, he

rose his head up and he said hey, guy are you the one that owns that fitness center down there? We think that is a lovely thing you are doing in the community. That is what we are getting. We are getting our youth and the older adults, we have a senior citizen program that we work with the YWCA Senior Citizen Program. We have a youth program from 13 to 18. We do community service, where adults that are coming out of the penalty system we are doing some work in that area and we are just looking to just keep striving forward and to keep providing a facility for all.

Affordable for all and once again I am not this great speaker. I like to do the work in the community. I like to stay behind the scenes but I just thank the opportunity for getting up here to share with what we are doing and where we are heading and I thank you so very much for listening to us.

Mr. Johnson:

My name is Art Johnson I thank God first and Ms. McDonald for this opportunity and he practically covered everything. Except some things that you can't put into words and that is the socialization that goes on. Like he said between the old and the young. And it is something that is just really needed because in our community I feel like we have become afraid of the youth and it is that lack of communication and getting to know them and getting to try to understand them that the community fitness center brings together. That's just to add just a little to what Percy had brought up. And with that I will close. Thank you.

The Chair:

How long will it take us to look like you guys?

We have one to be read into the record.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 1842 WHEREAS, Come one, Come all, "the Most Soulful Show on Earth" the UniverSoul Circus is in town; and

WHEREAS, the UniverSoul Circus will be in Pittsburgh from July 21 through July 25, 1999 at Reizenstein Middle School located in East Liberty; and

WHEREAS, Atlanta based UniverSoul Circus is critically acclaimed for its brilliant showmanship, positive messages and high-tech production values. The UniverSoul Circus is a multi-cultural, one-ring spectacle, featuring black circus performers and others from around the world; and

WHEREAS, the Circus utilizes Classic R & B, Hip Hop, Gospel, Salsa and Jazz as a powerful backdrop along with a million-dollar light show. The Circus will travel to 24 cities this year, including first-time performances in Jacksonville, Charlotte, Norfolk, Boston, Pittsburgh, Cincinnati and Nashville.

NOW THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh welcomes the UniverSoul Circus to town.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declares July 21 through July 25, 1999, "UniverSoul Circus Days" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

We will now move to public comments. Anyone wishing to address Council has three minutes at this time. Please give your name and

address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, that's in the Hill District.

I wanted to make a statement regarding the Detective Cookie Coleman. I wanted her to know that the community is behind her and we are pleased to see that she has taken initiative to teach our children in order to enable them to empower themselves to become leaders in our community.

Today is my birthday and I wasn't going to come today because sometimes I am not treated too kindly. But one of the citizens -- some of the citizens asked me to come and that's the only reason why I came. Because you have some concerned citizens that live in the 200 block of Webster Avenue that asked me to come down and ask you that because they are told that they have to move because of redevelopment. They are wondering if the building is sold and if they should be still -- if the landlord should still be collecting rent?

Another point of interest is Mr. Ricciardi, I would like to thank you for the statements that you made regarding the open hearing with Chief Fadzen. It was some points that I had not thought about and I would like to give you the honor for help -- for bringing out some points that I might not have thought about. When you asked that Chief Fadzen, the School Board and also the new superintendent thank you. You're really helping me out.

I wanted to also say that the last thing I wanted to say is that I was saying is that we're asking that people support Pittsburgh Works. There were so many people here today that Mr. Udin has a paper that is written to explain what

the Pittsburgh Works is about. I went to his office because I really wanted the children because that to me is one of our main interests should be that they understand what we are doing and how we are fighting. To understand that Pittsburgh Works Calvin Clinton head of the Black Union Workers they are trying to -- we are trying to work together so that every abled body citizen that is willing will have the opportunity to be able to have gainful employment. Which means if you listen, I am told that \$809 million will be coming into the City of Pittsburgh. Some people told me that that estimate is incorrect it should be billions. Whatever is coming we in our community the Hill District, East Liberty, Homewood, Mount Oliver are asking that every citizen be given the opportunity to be able to gain to seek gainful employment if they're qualified. Thank you. Have a nice day.

Mr. Udin:

I just want to wish Ms. Brown a Happy Birthday.

The Chair:

On behalf of all of Council, Happy Birthday.

Ms. Brown:

Thank you.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart. I reside in East Liberty, 5811 Penn Circle North. P.O. Box 5491, Pittsburgh 15206.

The reason I am giving that again is because my mail. I am not receiving my mail as I should be. So I am having that investigated.

I would like to tell you a little about myself. My mother passed on my seventh

birthday. My father sent my sister and I, because being the youngest to West Virginia to be raised by my aunt and uncle. My uncle was named Will Jordan he was a veteran from World War I. He was secretary of the union and treasurer of the Barrel Fund. That is how I got to learn and know all about John L Lewis. So you wonder where do I get some of my fighting spirit, I learned it quite early. Being down there from the minds with the miners and the union my uncle being so involved in the unions. Because John L. Lewis said I will fight for what we are supposed to get. And I always took that at heart that stand up and fight for your rights. And he let you know if his men didn't work no one worked. And that's the message if I don't stay in my house and I have been robbed.

Someone is going to check and find out where did my money go. I am not giving up. I am not going away. The only way I go away is they will kill me. So anyone will know if they kill me someone will know who to investigate. So I am not afraid and I will not bow down to no man. I only bow down to the creator. That's where you know you said in the beginning you pray and I hope and pray that here in Pittsburgh the City Council, the Mayor, will really start praying to the creator. Because there is a lot of injustices going on here in Pittsburgh and that you cannot see and tell right from wrong and you cannot even tell the murderer when a person is murdered a murder is covered up.

You have murders covered up, you have fraud going on and it is covered up in silence. Pittsburgh cannot strive like that. I am saying to this Council you are going to have to -- your people are voting and putting you in position to do the right thing and we cannot, you cannot survive and be a happy and a healthy city as long as you have the covering up of murder. Just like I come and I bring to you and tell you about fraud going on and I tell you investigate and clean it up you cannot be a healthy city. There are people living -- leaving this city and they will continue to leave this city until people

start covering -- stop covering up murders, stop covering up the fraud but let the little man live in this city. This could be a good thriving city. Let everyone work. It's a shame that in order for a person to work they have to come and be voted on here in the Council and at the Mayor's Office. Good bless.

The Chair:

Any other more speakers wishing to address Council? We will move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1843 Resolution providing for a lease and/or sublease of space located at 815 Warrington Avenue, Pittsburgh, PA 15210, in the 18th Ward, from the lessor, Allentown Civic Association, for the purpose of establishing a Community Oriented Police mini-station, effective August 1, 1999 and renewable annually, at a cost to the City of not more than \$70.00 per month to off-set the cost of utilities. Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 1844 Resolution further amending Resolution No. 1018, effective January 1, 1997, as amended, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program;" and approving the 1997 through 2002 Capital Improvement Program, by transferring \$140,000.00 from Smallman Street Sidewalk Improvements to a new line item entitled "Schenley Park Bridge over Boundary Street."

No. 1845 Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996

Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring \$91,962.75 from Three Rivers Stadium Ramp to Schenley Park Bridge over Boundary Street.

No. 1846 Resolution amending Resolution No. 403, effective April 21, 1992 entitled "Providing for a Contract or Contracts for the Rehabilitation of the Schenley Park Bridge over Boundary Street, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by increasing the total project allocation by \$231,962.75 from \$5,500,000.00 to \$5,731,962.75.

No. 1847 Resolution amending Resolution No. 166, effective April 15, 1997, entitled "Providing for an Agreement or Agreements and/or a Contract or Contracts, or use of existing Contracts, for Smallman Street Sidewalk Improvements including Construction Inspection Services; and providing for the payment of the cost thereof," by reducing the total project allocation by \$140,000.00 from \$850,000.00 to \$710,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 1848 Resolution granting unto Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a projecting window and identification sign over a portion of the sidewalk at 2525 Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 1849 Resolution granting unto Michael F. Healey, 1819 Sarah Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, two bay windows and a roof canopy over a portion of the right-of-way of 1824 Carey Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

No. 1850 Resolution granting unto Port Authority of Allegheny County, 2235 Beaver Avenue, Pittsburgh, Pennsylvania 15233, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a roof canopy over a portion of the right-of-way of Liberty Avenue between 6th Avenue and Wood Street and to place (6) six benches on the right-of-way in the 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 1851 Resolution amending Resolution No. 95, approved March 10, 1998, effective March 16, 1998, entitled, "Granting unto Seddon and Frances Bennington, their successors and assigns, an encroachment to construct, and maintain and use at their own cost and expense, 2 Banner Signs and 3 Canopy/Awnings on Liberty Ave. in the 2nd Ward, 6th Council District, of the City of Pittsburgh".

No. 1852 Resolution repealing Resolution No. 481 approved August 1, 1997, "Granting unto Beynon Building Company, 1900 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct,

maintain and use at their own cost and expense, a handicap ramp with a guard rail and hand rail on Wood Street in the 1st Ward, 6th Council District of the City of Pittsburgh".

No. 1853 Resolution accepting the dedication of Gateway Boulevard and Riverfront Boulevard in the 16th Ward, 3rd Council District.

No. 1854 Resolution changing the name of Randall Street from Gladstone Street to Moon Way in the 15th Ward, 5th Council District of the City of Pittsburgh.

No. 1855 Resolution vacating a portion of Hankla Way in the 19th Ward, 2nd Council District of the City of Pittsburgh.

No. 1856 Resolution vacating Holtz Way and Unnamed Way in the 3rd Ward, 6th Council District of the City of Pittsburgh.

No. 1857 Resolution vacating a portion of S. 25th Street from Sidney Street to its northern terminus at S. Water Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 1858 Resolution amending Resolution No. 624 as amended by Resolution No. 1000 of 1996, by Resolution No. 250 effective May 17, 1997 and by Resolution No. 77 of 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment

vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in the Urban Redevelopment Authority and create a project,"River Avenue Redevelopment Project" in URA.

No. 1859 Resolution amending Resolution No. 29, effective 2/7/97 as amended by Resolution No. 106, effective 3/21/97, as amended by Resolution No. 301 effective 6/6/97, as amended by Resolution No. 503, effective 8/11/97, as amended by Resolution No. 643, effective 10/24/97, as amended by Resolution No. 303 effective 6/12/98 and Resolution No. 380 of 1999, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reprogram funds in the URA and create a project "River Avenue Redevelopment Project" in URA.

No. 1860 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the River Avenue Redevelopment Area (Council District No. 1) (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1861 Resolution amending Resolution No. 378, effective July 7, 1997 entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh

for the performance of certain work in connection with the 1997-1998 Community Development Block Grant Program, and providing for the payment of the cost thereof" by reducing three line items and creating a new line item. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1862 Resolution amending Resolution No. 632, effective August 16, 1996 entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1996-1997 Community Development Block Grant Program, and providing for the payment of the cost thereof" by reducing one line item and creating a new line item. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.
Also,

No. 1863 Resolution approving execution of a contract for disposition of land by and between the URA and Brookwood, Inc., (and its assigns) for the sale of the eastern portion of vacated 25th Street in the 16th Ward of the City of Pittsburgh Council District No. 3. (Parking)

No. 1864 Resolution amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program and approving the 1999 through 2004 Capital Improvement Program" by transferring a project

from Engineering & Construction (Art Set Aside) to Department of City Planning (Art Set Aside).

No. 1865 Resolution authorizing agreements with organizations, artists, or vendors for materials and construction of works of public art, and providing for administrative/staff costs related to Art Set Aside, at a cost not to exceed \$45,000.00 Which were read and referred to the Committee on Housing, Economic Development & Promotion.

No. 1867 Resolution amending Resolution No. 381 effective June 18, 1999 as amended by Resolution No. 291 effective June 1, 1998 as amended by Resolution No. 362, effective June 25, 1998 and Resolution No. 453 effective August 19, 1998 and Resolution No. 8 effective January 28, 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as reprogram funds in Public Works and Engineering & Construction.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1866 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by creating a North Side Commercial Parking Area Overlay District under Chapter 907 "Development Overlay Districts, Section 907.03 to establish a

five year moratorium prohibiting the use of vacant lots for commercial outdoor parking facilities.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1868 Resolution providing for a contract or contracts or use of existing contract for the construction of the Brighton Heights and Troy Hill Concession Stands at a cost not to exceed \$75,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Ferlo:

Point of order, there are a number of bills that were just read that are clearly zoning bills. I am wondering why they're not in the correct committee? Could I just ask the clerk to clarify that for the meeting on Wednesday.

Mr. Hertzberg:

They are under the wrong committee. Some of them should be --

The Chair:

Clerk, want to check the committees please.

Mr. Ferlo:

The other reason I say that, sometimes the Director doesn't know to show up if they don't see a bill under a certain committee. I will ask the clerk to please clarify that.

MR. UDIN PRESENTED:

No. 1869 Resolution creating the "Downtown Residential and Citywide Loft Development Task Force. --(SPONSORED BY MR. COHEN & MR. UDIN)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1870 Resolution directing the Mayor's Office of Business and Employment Opportunities to operate a program of technical assistance and support to construction businesses owned by minorities or women who are residents of the City of Pittsburgh. Such support will include, but not be limited to, estimating, bid preparation, blueprint reading, bid and performance bond acquisition and any other business management support needs identified by minority and women owned construction contracts. (SPONSORED BY MR. UDIN)

No. 1871 Resolution requiring that all contractors and subcontractors of major constructions projects, funded in whole or in part by city funds or value, be required to submit to the City of Pittsburgh, monthly employee data sheets which identify name, address, municipality, zip code, race, gender, trade and skill level, for all construction employees. (SPONSORED BY MR. UDIN)

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1872 A Resolution of the City Council of the City of Pittsburgh (The "City") determining to incur lease rental debt in an

aggregate principal amount of Thirty-Seven Million Six Hundred Ten Thousand Dollars (\$37,610,000) by entering into a supporting agreement (The "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (The "Authority") and the County of Allegheny.

No. 1873 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1874 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 1875 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, to certain property in the City of Pittsburgh, adjacent to the Lincoln Elementary School, to the School District of Pittsburgh, as it is needed for future expansion.

No. 1876 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property, designated as Block 61 D, Lot part of 160, in the 18th Ward of the City of Pittsburgh, to James C. Pantelis, Jr., for the sum of \$500.00.

No. 1877 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1878 Resolution authorizing the City of Pittsburgh to issue quit claim deeds for properties, designated as Block 60 E, Lot 13, in the 29th Ward of the City of Pittsburgh and Block 138 A, Lot 190, in the 32nd Ward of the City of Pittsburgh, to the Port Authority of Allegheny County.

No. 1879 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Is there any unfinished business to come in front of Council? Hearing none, we will move to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1880:

Report of the Committee on Finance and Budget for July 14, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1796:

Resolution transferring \$50,000.00 from Utilities, City Information Systems, Account 568500, Fund 1000, Organization 103000, Sub-Class 160, Budget Year 1999; \$75,000.00 from Miscellaneous Services, City Information Systems, Account 525100, Fund 1000, Organization 103000, Sub-Class 150, Budget Year 1999; and \$100,000.00 from Health Care, Department of Personnel, Account 571100,

Fund 1000, Organization 999300, Sub-Class 040, Budget Year 1999 for an aggregate amount of \$225,000.00 to Tax Information Systems Modernization, Department of Finance, Account 600000, Fund 5100, Organization 107000, Sub-Class PGHPR, Project/Grant 2251004, Budget Year 1999.

Which was read.

Also,

Bill No. 1797:

Resolution providing for an Agreement or Agreements with Three Rivers Area Labor Management Committee, 106 South 18th Street, Pittsburgh, PA 15203, for professional services in connection with the Tax Information Systems Modernization Project, Department of Finance; at a cost not to exceed \$100,000.00.

Which was read.

Also,

Bill No. 1798:

Resolution providing for an Agreement or Agreements with Unisys Corporation, Township Line & Union Meeting Roads, Blue Bell, PA 19424-0001, for additional services in connection with the Tax Information Systems Modernization Project, Department of Finance; at a cost not to exceed \$875,000.00.

Which was read.

Also,

Bill No. 1799:

Resolution further amending Resolution No. 781, effective January 1, 1999, as amended entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital

Improvement Program," by adding non-bond proceed funding sources to the Integrated Self-assessed Tax Project which increases the proposed budget from \$964,000 to \$1,939,000.

Which was read.

Also,

Bill No. 1816:

Resolution authorizing the transfer of Three Hundred Thousand Dollars (\$300,000) from Salaries, Bureau of Police to the Emergency Telephone Act Trust Fund 2454, Org. No. 213000, Account 540000, Subclass 600, Budget Year 1999, the Emergency Operations Center, Department of Public Safety. (PRESENTED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

As I expressed last week in committee meetings I am not pleased about the fact that we have to spend another million dollars on this tax -- implementing the tax collection system in the Finance Department of revenue. I also feel that directors are really never held accountable for things they do and when they finally are held accountable, it always seem they move on to greener pastures and get a job somewhere else. But I also question whether or not in the beginning why there was not more thought given to what all the scope of services needed to be for this new system that we're going to bring on line. What the true and accurate cost would be including software and training and whether or not in the beginning had this cost been actually more accurate it would have been more appropriate that maybe another vendor should

have been considered.

I can never figure out the rhyme or reason behind some of the actions of the administration. I also am suspect about the low-balling by certain companies and maybe they knew in the end they were going to get another million dollars. So the whole thing I don't like. I think it is suspect. I am very suspicious about what transpired here for the last year and a half notwithstanding a lot of employees who pretty much were forced to accept the fact that they have to redefine their scope of activities in terms of daily work and what the new system is going to be. But I am not happy about the whole thing. It just seems like when people are called to test it always seem like they move on to greener pasture. So I am going to respectfully vote no on the bills.

The Chair:

I was curious, I wasn't here last week, was there any report from the Controller or someone who should be auditing these things if it is legitimate?

Mr. Ferlo:

As I said last week -- I am sorry I will defer to Mr. Udin. I am sorry.

Mr. Udin:

Yes it is as the result of the discussion I think that the question was not whether or not the costs were legitimate I share the concerns of Councilman Ferlo. They were costs that a variety of different kinds of costs were included in this total package some of which resulted from the Director of the Department of Finance admittedly saying that they excluded one major portion of a certain module. And when it became clear that this module should have been included they included it this time. If it had been included the last time it would have increased the contract more on the front end.

But I think that Councilman Ferlo is correct, directors need to be held accountable to living within the budget that they project. But on the other hand it sometimes is not possible to know everything in advance. Sometimes when you are setting up a new system, you discover things that you need that you just didn't know when you set up the new system. So I am willing to give the benefit of the doubt to the administration and the director provided that they do not continue to come back in the future for additional funds.

Mr. Ferlo:

I can appreciate Councilman Udin's observations and points. Maybe I take a longer view back 12 years but it seems the previous Director of CIS many years ago Mr. Wilcoski (phonetic) it just seems as though the sales people come by with the latest software, the latest technology on computer systems and it seems like naive directors are sold the bill of good. That's the feeling I get. That is one of the reasons why I did not feel the person at the Council majority agreed to appoint in the finance position is qualified to have that position.

I inappropriately called the individual incompetent that was inappropriate and I apologize. But I still do not feel the person is qualified to be in that position. I think we're going to have the same kind of situation like this in the future. It goes back a long time; it is not peculiar to this Mayor. It goes back several administrations. I think we have sometimes people that do not do their due diligence, don't question enough, don't look at every issue before they get hooked, lined and sinker into a multi million dollar new endeavor.

I am beginning to have the stomach feelings, the bad butterfly feelings in my stomach about \$10 million investment we made in People Soft now. I see People Soft at these conventions you know they're selling the wears

to municipalities, they are announcing that Pittsburgh is this great system and we have been kind of used as the guinea pig. Now they are off marketing a multi million dollar private transaction and private entrepreneurial profiteering on People Soft at our expense. It is not clear to me we're getting our money out of that system and I don't even know what the additional costs are going to be. On top of that, we have had like eight different resolutions that we have had to support for Y2K compliance. And every time we voted on it, we were told this is the last one we have to vote on. Just when we are out of the woods all of a sudden there comes another resolution for Y2K compliance. I am just not sure sometimes how we are spending the money.

The Chair:

Bills are now ready for final action.

All in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	

(Mr. Ferlo and Mr. O'Connor (Pres't) voted no on bill 1796, 1798 and 99 and Mr. Ricciardi voted no on Bill 1799)

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1881:

Report of the Committee on Housing, Economic Development and Promotion for July 14, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1791:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the Inner Triangle Redevelopment Area (Council District No. 6). -- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG

Which was read.

Also,

Bill No. 1792:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program ("RACP") grant in the amount of \$10,000,000 for the Marketplace at Fifth and Forbes Project (Council District No. 6). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1793:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for a Redevelopment Area to be formed on the South Shore of the Monongahela River (Station Square Phase II Development) (Council Districts No. 2 and No. 3). --

(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Thank you. Bill number 1793 is a resolution on authorizing pursuit of a tax increment finance arrangement for what we all know is the Station Square development on the Monongahela River.

I think the new plan that has been shown to all of Council by Forest City is a great plan for what now is one of the most vibrant retail areas of the city. This TIF proposal is a little different than what we are used to seeing. A lot of times the TIF's tend to benefit a specific project. It may bring job growth and it maybe for a new industrial facility something of that nature that ends up being something that is pretty much a privately owned facility.

A lot of what is being proposed for this particular TIF is public. I think it is a great benefit to the city and to the region for this particular TIF. We're going to have a new public boardwalk, which looks like it is going to be something beautiful for everyone that will come out into the Mon River and have a beautiful view of downtown Pittsburgh as part of this. We're also going to have a bridge connection from the Station Square Shops to the Monongahela incline, which of course is a public transportation facility. And there is much more to it.

We're also going to have an expansion of the Sheraton at Station Square, hundred new rooms will be added on the Sheraton and a number of different restaurants and other retail

facilities are going to be added on to Station Square. They will be great job growth at this particular facility.

Probably the most important reason to me though why I am supporting this is after six years of trying to work to do something with the Lawrence Paint Building we are finally presented here with the opportunity to make it happen. Everyone must know what the Lawrence Paint Building is. It is the one blighted building that sits in what is one of the most public areas in the whole region right where the Ohio River starts on the south side of that river. Whenever we have nationally broadcast events I think the cameras somehow manage to steer away from it because they catch everything else including the Point, including the stadium, including downtown but they just manage to avoid that one area. Because this building looks so terrible and for people that live in the western part of the city it is our gateway.

This is something we pass day in day out if we are traveling to and from downtown or anywhere in the eastern part of the city. And I have just grown very tired of trying to make something happen with this building. I have spent a lot of time, a lot of effort and I know a lot of money has been spent to try to make something happen with this building. Now we finally have the opportunity and connection with the proposal by Forest City. There was an amendment made to this resolution and also to a resolution passed by the URA that states before issuance of the proceeds from the Tax Increment Financing of the Lawrence Paint Building shall either have been demolished or rehabilitated.

I am not suggesting which it is, Forest City has taken a position but not a firm one. I think they are keeping their options open, but they seem to believe that there is no economically feasible rehabilitation in this building. But I think they are keeping an open mind and I certainly have an open mind. Just for doing something with this building other

than leaving it like it is.

And with the amendment set forth in this bill that's going to be required. Something has to happen to this building before this TIF can be released. So I think we have a very good situation here where we are going to have great economic development at Station Square, great expansion and also finally get the opportunity to do something with an eye sore building. I hope I have everyone's support.

Mr. Cohen:

I want to thank Councilman Hertzberg for his leadership on this issue. The discussion about the Station Square expansion occurred at the end of last Wednesday's meeting. So it didn't get I don't think as much examination as perhaps it should have. But it is a very, very exciting project. Certainly one that will continue a success story and that is Station Square.

With respect to the Lawrence Paint Building I think Councilman Hertzberg's amendment really is the kind of springmanship that we need. Many years ago I remember going down to work into Washington and having a list of projects for then Director of Housing and Urban Development, Secretary of Housing and Urban Development, Jack Kemp and the Lawrence Paint Building was on that list. There has been proposal after proposal for that building, none of which has come to fruition. Personally I think the best use of that building is residential. Loft use would be such a great location with a great view but unless you have a developer who is willing to do it, it is not going to happen.

So I think Councilman Hertzberg's amendment although it is pretty stark in its language is appropriate so that we either get that building renovated and developed or we demolish it and make room for other development.

Mr. Ferlo:

Yes. Unfortunately I was out of the room when there was discussion on Bill 1793 at the committee sessions relating to Station Square. Obviously for over a decade Station Square has been significant economic generator and part of the success of the in and around downtown corridor. I applaud this new initiative by Forest City Development.

The concern I had just with the intent of the amendment is if the sponsor could just clarify the concern I have. The concern being that if some of the proceeds of the TIF are in fact needed to do development of the Paint Company Building and/or its demolition, the way it is worded in such a way to suggest that something has to be done prior to the issuance of the proceeds. I just wanted a clarification.

Mr. Hertzberg:

I stated at the committee meeting and I will state again now on the public record, if it appears that we have finally got this building taken care of and it looks airtight and it is moving ahead, we will amend these resolutions. But I want this thing done, I want it signed, sealed and delivered before anything else happens. I just have been sold a bill of goods too many times on this building, to let this opportunity escape us. So I think down the road we are willing to amend this if we have everything in place and it would be necessary to move ahead.

Mr. Ferlo:

We're not sending the message that we don't want the Lawrence Paint Company to be part of this deal if indeed it can be some type of redevelopment of the building we're willing to discuss the --

Mr. Hertzberg:

We are and Forest City agreed to this exact amendment. They don't have a problem with it.

Mr. Ferlo:

In relation to Bills 1791, 1792 I have to abstain on this whole issue of the Forbes Fifth retail. I mean it seems exciting. But I still have feelings of the East Liberty Mall situation and I still don't see the big picture yet. I still don't see the administration coming forward and answering certain questions. I did not have a good feeling when we had a meeting albeit, I guess it was a private meeting. I was there briefly with the urban retail interest groups from Chicago. I asked them if they had a market study, do they even have a business plan? It just seems like a very undeveloped notion that they have. They obviously have a track record and maybe they have these things, but they weren't really willing to discuss or weren't very open with me at least and maybe other colleagues some of the information that we are requesting.

The Station Square economic development has a strong track record to build. I can see how that can expand not only with motel rooms but with other retail opportunities. We know that the McClatchey Rooney interests on the North Shore pursuant to Plan B and the stadia construction have been chomping at the bit for development. I assume it is of a commercial retail nature for the streets in and around the newly constructed stadia that is going to be another significant draw in a commercial retail area. We did see recently a Lazarus store closing in a suburban mall for various reasons. But I still think there is a concern about how much money and what appropriate level should be the public investment for basically a gutting of the Forbes Fifth retail on the hopes that this major urban mall without a roof on it will be successful and will be all the things that we want it to be. It can be that and maybe that is the proper vision

we should have. But I think before Council just begins to march a lock step with all these resolutions of which I am sure there will be many forthcoming the two today and many over the next several months. I still would like more answers to some of the questions least of which is some business plan and some market study about the viability of seeing this as a major department store corridor. The issue of the movie house, what the Market Square ambiance and character is going to be, what the pedestrian vehicular flow into the area is going to be.

I mean if we are going to make the several \$100 million investment that this calls for, I would like to have a much more comfortable feeling in my gut that this is the right thing to do. I am not being negative, I am not saying this is bad. I appreciate the hard work of the administration and what the Mayor has done, their redevelopment officials and I am sure they have put their best foot forward. I know that they have the best and highest hopes for this corridor being a significant redevelopment in and of the downtown area trying to capture the thousands of individuals who work downtown so that they can become shoppers, past four o'clock.

So I think there is a lot of potential there but I still have questions that need to be answered and I am going to respectfully have to abstain at this point on Bills 1791 and 1792.

Mr. Udin:

Yes thank you, Mr. President. Concerning the Fifth Avenue this market place at Fifth and Forbes project, there have been a number of constituent groups that have expressed concerns. Some historical preservation, some issues of relocation of retailers, some concerning issues of how we are going to preserve a Pittsburgh character to a new downtown mall area. The project is so huge and so important to Pittsburgh that we can't approach this project as we have approached

projects in the past where the administration just comes up with an initiative and just drives it forward until its at the development point where it needs Council approval and then plops it on Council's desk and tells them to take it or leave it. There is a better way of doing business than that and I am hoping that we will develop a series of briefings of Council as this project develops.

I think it calls for those special briefings and I think the administration should be willing to meet with Council and provide those briefings on a regular basis at whatever intervals Council and the administration can agree to that are necessary for Council to stay on top of the development.

I have scheduled a series of noontime brown bag round tables that will be held at the old ALCOA Building on the 31st floor the fourth Monday of each month beginning in August. All the stakeholders, community members of downtown property owners, downtown business owners, other people who are concerned about this project so that they can have a place to come and get informational updates on the development of the project. They could have a place to articulate their issues of concerns, perhaps get some questions answered that there is a regular community public discussion that is held the fourth Monday of every month where these things can be answered.

But I think Council needs a special session and not to the general public session and if Council is willing to attend meetings or briefings, I should say so that they can get that information. I will be more than happy to try to facilitate such a meeting. But we have to be in every step of the way and not wait until this thing is all the way developed and then have it dropped in our laps.

The Chair:

It is your district and your leadership I think is necessary. By voting for this today, we're only saying you can pursue it.

Mr. Udin:

Actually let me just speak to that if I may, Mr. President. This only allows the URA to tap into state money for the project. We still have to consider all the other development issues but that is why I think it's important that we allow the URA to go forward with the application for the state money. But mean while we need to get an agreement from the administration that this is going to be a collaborative planning process and that they're going to brief Council on a regular basis.

Mr. Ferlo:

I would ask that -- I still have the same reservations. But on Bill 1792 and I misspoke 1791 is the Gimbel's proposal if I am correct as Councilman Hertzberg pointed out to me, 1792 was more the bill speaking about Fifth and Forbes redevelopment. But in 1792 just on the Forbes Fifth project on section two where it talks about the mix of revenues it says the developers equity, which I might point out seems to be very low relative to any other economic development project that has come before us at a neighborhood level where everybody requires them to have a much higher level of private equity. This is a very minimal kind of a commitment on the part of the private entrepreneur. You have the Center Triangle amendment one and two TIF going into this, public dollars or deferred tax dollars. You have the Pittsburgh Development Fund Public RAD dollars redirected for economic development and other public funds, i.e. the state grant you are seeking today, etc. But what happened to the private development fund?

When we agreed to do the -- when we agreed to create the Pittsburgh Development Fund in effect redirect city tax dollars which

could have gone to pay operating debt service, which could have gone to pay the operating budget, which could take down that Calla Hill Street Apartment Building in my district, or do some Lawrenceville project which the Mayor has held significant press conferences about, but he hasn't proposed to buy any of the land. Now we hear that we are buying some land under the Glenwood Bridge for more rails and trails which is great but it is not a priority to me to be quite honest with you. Because the things I want to do at the Riverfront in Lawrenceville actually involved people's lives and jobs and income for families but that doesn't seem to be the agenda of the administration often times, if it is at the neighborhood level.

But what happened to the development fund? You know this is the kind of a project if you are not going to get significant corporate CEO downtown foundation et al excitement and enthusiasm for the Forbes Fifth you are not going to get it for the agenda at Station Square. You are not going to get it for stuff at the North Shore. In other words, this should be something that you should be able to sell and get a commitment from for major dollars. You know go see Henry Hillman. Go where you got to go but if you are talking about pretty much ripping the guts out of the Forbes Fifth quadrant and redesigning and redoing this project, you are really talking about major corporate players buying into this initiative also. Including what maybe needed to redesign the Market Square Plaza as part of this urban mall without the roof.

So, why isn't that included in this catch all section too? I would like to see the administration fulfill their commitment and I would like to see the private sector corporate and philanthropic community fulfill their commitment to assist and match the Pittsburgh Development Fund, the tax dollars. Remember it was supposed to be 50/50. We were supposed to kick it in 50 or 60 million and they were going to kick in 50 or 60 million. Well I haven't seen that yet.

The Chair:

I believe their 60 million if it ever came out is still sitting in the bank some where.

Mr. Ferlo:

Well why can't they make a commitment to this? I mean I am voting to take away dollars that could be going towards development in my Council District, badly needed residential commercial development on the throw of the dice that says we want to redevelop downtown and kind of a trickle down theory that eventually we will collect more taxes. Eventually we will be more solvent as a city and everybody will be happier. I mean there has got to be some -- I hate to prejudge the Bedford project also. Same thing with Bedford. I expressed the same concern about the project in Squirrel Hill on slag heap.

I mean these multi million dollar big projects are great but at some point you are talking about dollars that get diverted away from other projects. We have strong residential communities that have been paying the freight and holding this city together. In my Council District I can name them all, you know them Highland Park, Morningside, you name it. I go up and down the line. Lawrenceville, I can name every one of my neighborhoods. They are paying the freight. But there are signs, significant signs of housing and commercial decline in these corridors that are threatening the ability of individuals and families to want to stay in those neighborhoods. They are leaving the city and for a little bit of effort now and with just a little bit of attention from the administration we can preserve and protect and enhance those residential neighborhoods that have been paying the freight who will now continually see this Mayor and this Council do Forbes Fifth, do Plan B do this, do that, do Station Square. At some point those are dollars that get diverted away from holding these neighborhoods together. I think it has really

reached a critical point.

I don't think I am being unfair or critical of the administration. There has got to be some equity here. I have been waiting four years for the Mellon Street houses to be torn down and done. But it is not a priority. I am not saying that people aren't working hard on it. You know Mr. Davin is one of my heroes at the URA, he is a great person. But it is just not the agenda of the administration. I said it before, I wish the administration they have all them staff over there in that Mayor's Office. I don't even know what some of those neighborhood policy people do. Because never once in all my years has anyone called me to meet with me about a neighborhood project. So I don't know what any of those neighborhood policy people do. Ok, I am sure they work hard, but they have never taken the time to call me or work on any of my neighborhood groups.

Yet I asked the administration to fill Mr. Leeper's position over there because we are lacking and not having a key development person that this person can relate to. When Mr. Leeper was here I felt a lot more comfortable signing off on some of these things because he opened, he was participatory. He listened. I think he had a sincere desire to work with Council members on our concerns. That has been lacking in this administration. So I can't get anything done.

I can't move a project in Lawrenceville if it is commercial and along the riverfront. I can't take down a dam building in Calla Hill street or get the 700 block of Mellon Street torn down or now you are asking for my vote on Forbes/Fifth you are asking for my support on Bedford, you are asking for my support on ten other things I could list. I am sorry if I have to abstain or vote no and if I am alone that's life. At some point it is going to catch up with some of my other colleagues and they will also be abstaining and voting no and then maybe we can get some things done.

The Chair:

Is there any direction going back to what you said, Mr. Udin? If we vote for this today we're saying okay go ahead and apply but what guarantees do we have that at the last minute it's going to be as you said thrown on our lap and said well vote for it or you kill X amount of jobs and all of these things that we kind of get stuck with every year? There should be a way all along that we play a part or the time comes as Mr. Ferlo said well no that's too much we want to direct it to the neighborhoods. Usually the way it has happened when we support this all though it sounds like they are just going ahead and applying for it, but we don't hear maybe a couple of briefings once in awhile but we don't hear until the end. They come to us and say well if you don't vote for this you are killing the project. You are losing federal money. You are losing hundreds of construction and then we are left sitting there as the bad guys.

I have a problem with that and I don't know if there is any more as we are going along. I also look at urban properties. Why wasn't any other companies whether they are Pittsburgh or local involved in this? There are many companies that can do the same thing. I don't know if the deal has been signed with them. At least they are giving you a blue print which they have put hard work into. I certainly have a lot of questions that I am not against applying for money but I want to know when we can say enough is enough.

Mr. Udin:

I would suggest, Mr. President, that I wouldn't put it in the form of a guarantee. The language that you use, but I think that you can be assured that if the administration agrees to regular input, regular briefings of Council that or would agree to whatever forum Council decides is the appropriate way to proceed. We can set that up and I would be glad to represent Council's interest in getting that done. We will

have many, many opportunities along the way to guide and direct this project if we put ourselves into the process. This is not the only opportunity we will have to make our views known.

I would suggest that we create some forum, I thought that perhaps a regular briefing perhaps monthly or whatever frequency Council decides is comfortable that they can get the URA and Mayor's Office to agree to can be the place where we have these briefings and discussions. It needs to happen but we have to place, we have to create the forum. We have to say how we want the information and the let the administration say no.

The Chair:

Would you recommend I am sorry -- would you recommend holding this one week and have something in writing? The only power we have is our votes really. Have something in writing that we agree with the concerns of Mr. Ferlo and other colleagues.

Mr. Udin:

I wouldn't recommend that because these applications to the state are all based on timing. If we start holding these applications up based on the politics that we're going to be fighting on, it could be very extended. We have other opportunities to halt the progress of this project or redirect it. We don't have to halt this particular application. We need to get this application into the state.

Mr. Ricciardi:

Just regarding the process which I think is very important, Mr. President. If colleagues would recall several years ago I was somewhat critical of the administration and the URA when they made any type of application to the state. In my nine years on Council I don't recall one time that this legislative body has voted no on an application. And as I stated several years ago

the reason for that is once the resolution is before us asking permission to make an application to the state and in this case ten million dollars how do you vote no? I mean it is before us. It is like saying no we don't want this particular money.

The suggestion I had several years ago, Mr. President, that was that we should be as Mr. Udin just said there should be a process, a forum. We should be part of this at the early stages. For example, there is always competition in dollars. Let's be very honest. You can't say I will make five applications. Where is the Redevelopment Assistance Capital Program for Brookline Boulevard? There is Brookline Boulevard even before Mr. Diven or Mr. Cusick came to City Council. Mr. Ferlo has championed that we need to do something about Brookline Boulevard. We need to help that commercial district. We need to see some development happen in the South Hills community of Brookline and Beechview. So what occurs now? How do we know Brookline Boulevard should not have gone first just in terms of a timeframe? We don't know because we were not part of the original discussions several months ago when they decided to make application on this.

So that's my problem. My problem is one and I brought this up several years ago and with all do respect to Councilman Ferlo who stated and I have never heard him say so many aye's before, but he's going to start voting no and abstaining and hope that other colleagues will follow suit. Several of us including myself brought this up several years ago as the process is bad. I mean how do you vote against a \$10 million application for the City of Pittsburgh? I could probably vote against it if I knew more about Brookline Boulevard. Maybe that should have gone first.

I have a real problem with this. I realize this is in Mr. Udin's District but at the same time it is like the former LTV site, the South Side Works site which is a huge site that we all have

some sort of concern in ownership over. I am not prepared to vote for 1792 at this particular stance and position. Not only do I have some questions about 1792 but I need some assurances regarding Brookline Boulevard, the redevelopment of Brookline Boulevard and what is the URA's commitment to that. I am on the boulevard several -- a lot. Matter of fact, I was there yesterday. I do some business on Brookline Boulevard they have some wonderful stores on that boulevard. But I know my dear friend Deccio's, Deccio's Tailoring that I visited yesterday, he is somewhat taken back because they had a meeting there several months ago and there was no response to that meeting by the URA. And I know this wonderful man from the ISDA and I will see him this evening. He is going to ask me about Brookline Boulevard again this evening at the ISDA picnic at Kennywood. I am sure he is going to be talking to Mr. Onorato and I don't know what Dan and I are going to tell him. I am not prepared to vote for this.

Mr. Hertzberg:

Thank you, Mr. President. I forgot to have my comments brought forward on 1793. The Forbes Fifth please remember that there were two taxing increment financing arrangements that we approved. One for Mellon's new building, one for PNC's new building in which large parts of those bond issues were going into this Fifth Forbes project in which we amended the legislation to say that the funding for Fifth and Forbes could not be utilized until Council was presented with all the specifics of this plan.

So we have a very big opportunity and I think everyone knows that is the time when all the questions that we have better have answers to them. But I would suggest that that's going to be the time and as things move ahead we're getting bits and pieces of additional information but if it is not ready at that point and time. Then that's when the thing should be held up and that

is exactly how its set up. I think that was at your suggestion, Mr. President. So I am going to support this.

Mr. Ferlo:

I think the majority is going to approve this and it is going to pass notwithstanding my abstention. But I would ask pursuant to Council's passage of this and notwithstanding my abstention I think we are at least owed something in writing that explains what is the contractual relationship that the administrator has with Urban Retails Inc. I mean who are they? What is it they have been contracted to do? What will they own? What powers will they possess? I mean at some point I would like to know more exactly what is the -- who are the principles here and what is their role? What is their scope of services, something that says something? I mean we don't have anything. I would like something that says something.

And secondly, it has been at least two years now. The administration in good faith has been meeting with historic preservation groups. A well respected individual formerly headed up the city's historical preservation initiative now who works for a consulting architectural firm they have been hired as a sub contractor and at least for the last year and a half I believe there has been an assessment done. We have all expressed a concern about buildings could or should remain? What building facades can remain with new construction behind it? Can we not see some work product? I realize that acquisition of property is difficult but it is not exactly been a secret for three or four years that the administration and the URA has been out looking at the Forbes Fifth retail. So it is not like we have the element of surprise any more to any property owner. I don't know why we can't be given something at this point that explains to us what the historic preservation assessment is for retention of buildings, and/or retention of facades? I would ask that we minimally have at least those two things as we proceed with this

application to the state.

The Chair:

In section two of this it says developer equity. It would have to be in the state request.

Mr. Ferlo:

Well, if Council can ask --

The Chair:

If Council hasn't approved any -- this maybe saying we are approving this equity. I don't know what they're equity is as you said. Does anybody know what their equity is?

Mr. Udin:

These are all issues that can be answered, Mr. President, in a setting where we put the questions to the administration in advance and ask them to come and present these answers to a Council briefing. This is information that can easily be gotten. This is not the first time that we have seen this legislation before us. This legislation was presented last Wednesday and many of our colleagues with all do respect have had a whole week to try to get the administration to answer certain specific questions. If they put the questions to them, I don't see why it is necessary now to holdup this application. Those questions can be answered in the future there are no secrets out there.

Mr. Cohen:

Mr. President and members of Council, I asked a number of these questions last Wednesday and I think a post agenda meeting would be appropriate so that we just focus on this huge project and certainly there are a lot of questions about this project.

My questioning last Wednesday had a

large part to do with the current occupants of buildings in the Fifth and Forbes corridor. I received a few phone calls and I am sure you have as well particularly from merchants who wonder where the future lies. I had one call from the flower shop actually I was ordering flowers for my wife and when I got them on the phone he said you're not the Councilman by any chance are you? I said yeah. He said by the way what is happening with Fifth and Forbes? I had a call from our -- the person who provides us with the stationery for my company I don't know whether to order stationery he said. Because I don't know whether I am going to have the same address six months from now as I have now. That kind of brought it home to me that if you don't really know what your future is, then it is hard for you to make plans now.

So my questions to Director Birru last Wednesday were how much are we notifying the people on the street and how we can do a better job of that? Obviously these are all questions that need to be answered and I think a post agenda would be helpful.

I also learned from Councilman Udin that they are going to start relatively soon apparently monthly lunch sessions that anybody, that the public is invited to attend. Glad to hear that so all those questions certainly need to be answered, because it is a huge project. I think over all it is going to be a very good project for the city. But we need to make sure that it's done in the right way. That having been said, I don't think we should hold up this bill because this bill is really filing an application to get money from the state but we still need to get answers. I think a post agenda meeting is the right way to do it.

Mr. Ferlo:

But please let's be clear because this is different than many other things we have done where we have done general infrastructure investment and upgrading of corridors whether it be neighborhood or the cultural trust area.

Here we are creating one super landlord basically for a very large heart of the downtown retail corridor from Lord and Taylor, Mellon Bank all the way to Market Square. So the question or the answer back to that flower shop is well it depends on whether or not urban retail of Chicago wants you to be a tenant and whether or not you are willing to pay their square footage rent or maybe they already have some other national flower chain company that they want. So I mean it is just an illustration that this is a bigger decision and lots of other issues that need to be discussed.

I am not interested in these back -- and by the way I am tired of these backroom meetings. We get called to these meetings, most of the time staff go because they are either not held appropriately timed or whatever. These are -- I don't think these things should be -- same thing as like the Heinz TIF and all these -- I don't like these meetings back in the Executive Conference Room. I don't think they are executive decisions as far as I am concerned. There's nothing really that we should be so privileged to know that the general community shouldn't also be privileged to know. So I haven't attended some of them. I don't like them back there. I don't see why they can't be conducted in the course of regular public open business in City Council.

Mr. Onorato:

I just want to comment. There is a lot of comments made here that I agree with and some that I disagree with. But the main point is that regardless if this thing passes that today that our leverage always remains because there is always the next day. There is always another vote and we are going to have a big decision ahead of us heading into this capital budget season when we decide how we spend our capital dollars. I know that I pushed a few amendments that we unanimously supported about increasing the paving numbers up to four million dollars and we have two of it already in place and hopefully

the other two is coming soon when we get an audited financial report. But it is bigger than that and we are spending 20 million a year. We have to seriously think about the refocusing back in the neighborhoods.

The residents are screaming out there for just maintenance of the streets, tearing down the buildings, and cleaning up these lots. It is not being done properly or I should say it is not being done at an appropriate speed. That is what we need and we need to throw money into it and to make sure that the money is spent wisely.

I am willing and I am going to continue to fight in this capital budget season which is my last capital budget season to try to at least leave an imprint that we changed priorities and that we are now going to shift the majority of capital spending back into the neighborhoods. That is where it is time to pay attention. We did give the jump start that the administration wanted of these development funds. I think it has been successful over all and there may have been some bad ones in there but the vast majority we have seen some major improvements. But that was only supposed to be a jump-start to private investment. It wasn't supposed to be an ongoing continuous capital funding source from the public sector just to the downtown and the major development corridors.

We have to go back to the neighborhoods and it appears to me that we are going to have the votes to do it. But I hope we do it with the administration before it comes over so we are not fighting over amending it out of the budget and pitting groups against each other or projects against each other but coming over with a capital budget that is presented to us early in November that has a strong emphasis on the neighborhoods. That is what I am looking forward to doing in the next month and a half.

The Chair:

Again I will make it clear my vote is only to move it forward but there still remains a lot of questions to be asked. And besides your monthly meetings, again a post agenda maybe appropriate when we come back from recess.

The bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Ferlo abstained on Bills 1791 and 1792 and Mr. Ricciardi abstained on Bill 1792.)

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1882:

Report of the Committee on Lands, Buildings, and Procurement for July 14, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1744:

Resolution providing for the letting, during the calendar year 2000, of contracts and for the use of existing contracts for the maintenance, rental, rehabilitation, renovation, inspection or servicing of personal property, and

also for bonding, insurance, printing and any other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, at a cost not to exceed \$10,000.00.

Which was read.

Also,

Bill No. 1745:

Resolution providing for the letting of contracts and the use of existing contracts for the purchase of materials, general supplies and equipment by various Departments of the City of Pittsburgh during the calendar year 2000, and providing for the payments of the costs thereof. Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote now.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstained)

Bills have received the legally required number

of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1883:

Report of the Committee on Parks, Recreation and Youth Policy for July 14, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1795:

Resolution providing for a Lease(s) and/or License Agreement(s) for the use of certain property for senior citizen facilities for the provision of center services to senior citizens in an amount not to exceed One Hundred Seventy Three Thousand Six Hundred (\$173,600.00) Dollars, chargeable to and payable from the Senior Citizens Program Trust Fund in the Department of Parks and Recreation.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Bill 1795 I would like to have my comments brought forward. I just want to hail this as the first step to the great reopening of the West End Senior Center and thank Mary Esther VanShura for her persistence and dedication to seeing through the reopening of the West End Senior Center.

The Chair:

Thank you for your support. It's been a long struggle.

Mr. Ferlo:

Thank you. I was not at that part of the meeting and I only hope that in relation to the three locations I believe the Beechview location and the community expressed a desire to have the city look at another building. In the case of Lawrenceville, I continue to resent the unbelievable rent we are paying to an individual for an inadequate building. I hope that we can look at other options. I have expressed one of them to the Mayor regarding another location and thirdly the Saint Lawrence O'Toole Building, I believe should only be temporary having relocated to Morningside. I believe a temporary location for the Homewood Senior Center. So I hope whatever is in these leases provides us a quick opportunity to move out and relocate or close down and relocate to bigger and better facilities elsewhere. Thank you.

The Chair:

I believe maybe in the future we can look at especially when we are in temporary places we have an escape clause. Could be maybe six month escape clause in any of those leases.

Mr. Ferlo:

I just don't want to have to pay off a one or two or three year lease if we decide we are going to do something else. In the past there was always those 30 or 60 day clauses. So I hope we're not locking ourselves into the long-term leases for Beechview, Saint Lawrenceville O'Toole and Garfield or Lawrenceville at least.

The Chair:

The bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1884:

Report of the Committee on Public Safety Services for July 14, 1999 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1817:

Resolution amending Resolution No. 425, effective July 7, 1999, entitled: "Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Emergency Operations Center and providing for the payment thereof" by decreasing the amount from \$500,000 to \$320,000.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor

(Pres't)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1885:

Report of the Committee on Engineering and Construction for July 14, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1789:

Resolution providing for the issuance of a warrant in favor of Bally Design, Inc. in the amount of \$27,521.00, a warrant in favor of Triangle Welding in the amount of \$10,907.00 and a warrant in favor of Christine Davis Consultants, Inc. in the amount of \$7,900.00 for an aggregate amount of \$46,328.00, in payment of work performed in conjunction with the historic interpretive signage system for the

Heritage Trails; and providing for the payment of the costs thereof.

Which was read.

Also,

Bill No. 1790:

Resolution further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by creating a new line item "Heritage Trails."

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

(Mr. Ferlo Abstained)

Bills have received the legally required number of votes and have passed finally.

The Chair:

We move to motions and resolutions. I would like to announce today we have two public hearings at two o'clock and three o'clock concerning the Heinz expansion and the Bedford Crawford Roberts development.

Any other comments?

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Thank you Mr. President and colleagues. Mr. President, I found an article in today's paper which says the Pittsburgh Pirates, Steelers, get more lead way on contractors, number one very concerning. I am very concerned about it but I find it in one aspect very amusing. That is according to the paper the two teams will be permitted to open the construction bids in private rather than public. I have a real problem with that because the majority of the money that is used that is going to be used for the construction of these two new stadiums are public dollars, number one. And even the private dollars that are being put in by the franchises. I really question if they are private dollars. That is for example the naming of the stadiums I mean that is part of their contribution. So I have a real problem with that.

I also have a problem that they do not have to select a firm that submits the lowest bid. I think throughout the decades the reason you had to take the firm with the lowest bid is to make sure that it was very objective and that there was no partisan politics or some personal relationships that entered into the picture. I find the comments by the Director of the Public Auditorium Authority also very peculiar and that is when Mr. Leeper says that sometimes the lowest bid you don't always get the best contractor. So that is why you don't want to take the lowest bid. Well if that is true why don't we do that with all of our city contracts?

Our construction contracts here in the city of Pittsburgh?

Also I think we have to keep in mind that if a company is bonded that means that there is someone standing behind that particular company and saying that they are able to do the work and if they are not the bonding agency steps forward. I also find it very interesting that the legislature, our state legislature made that change in June allowing them or authorizing the franchises the ability not to take the lowest bid. First of all I didn't know that was under consideration.

Number two, I would like our City Clerk to ask our lobbyist, Mr. Chuck Kolling, why we were not informed of such an important piece of legislation that was on the agenda? I would like to know how the vote was and I would like to see the minutes of that vote.

So in effect what I would like to do and I am sure there is not an objection, Mr. O'Connor, but I think the Public Auditorium Authority needs to give us a better explanation why bids will not be opened in public? Also I would like to know if all the tab sheets will be made public? That is the tab sheets that once the contractors put in a bid there is tab sheets on each contractor. I would like to know if those tab sheets will be made public? Also I would like to have a better explanation why the Director of the Public Auditorium Authority believes its in the best interest of the taxpayer not to accept the lowest bid? I think that is just very, very important. Let's keep in mind that we have city dollars in there. We have given up our wage tax from the ballplayers which I voted no We have given that up, and also Pittsburgh Water and Sewer Authority has contributed hundreds of thousands of dollars and I believe those contracts have to be let out to the lowest bidder.

Now with that said, I think there is a lot of information that needs to be forwarded to us by the Public Auditorium Authority. But once

again it continues and I am not going to let this continue to show the sheer arrogance of the sport franchises here in the City of Pittsburgh. It continues to show the attitude that many of our public officials, both elected and appointed have towards the taxpayer. It really (inaudible) that they have that they feel as though they can spend these dollars anywhere they want without public accountability. It is showing the lack of confidence that a taxpayer is having beginning to have and has always had towards the construction of stadiums, and it is a pity because we are going down that path. If we go down that path, let's at least do it the right way.

So, I have many, many questions and I would like to commend Mr. Cohen for his position. I think his position has always been that he has supported development and that he supports doing what he can to save the sport franchises, but at the same time that taxpayers need to be protective.

I find it also very interesting that the director of the Public Auditorium Authority says well we really need to give the sport franchises this lead way because they are going to be absorbing the cost overruns. Number one, we are not even sure if there are going to be cost overruns. But number two, from what I read from our local papers, if there are cost overruns and the pieces aren't in effect yet. But if there are cost overruns their annual rental payments, leasing payments are going to decrease substantially. So, are they really paying for cost overruns? I question that.

Now, for the viewing audience though, I want to continue to make sure that this is part of the record. Every piece of legislation, authorization, expenditure, zoning change, and any other type of information that has come before this legislative body I continue to vote no. In the long run, I think that some of my claims, my earlier claims, are coming true and that is be damned with the taxpayer and if the powers to be both on the public and private

sector want this to happen, it is going to happen. The only difference now is it is going to be happening in the backrooms where we are going to have a lack of information. But the best part about this is are the tab sheets going to be made public once the bids are put in and if Mr. John Mascio can please take some time of his day and look into that matter for me, I would deeply appreciate it. Thank you.

The Chair:

John can do that.

Mr. Cohen:

Thank you, Mr. President. As Council's representative on the Auditorium Authority I voted against the legislation that councilman Ricciardi is referring to and did so really for many of the reasons that Councilman Ricciardi states. Let me say one thing at the outset and that is that the bill passed by the state legislature would have virtually given up any authority over the bidding process to the two teams. Would have completely done away with the public bidding process and I would also like to know how the votes were cast in Harrisburg on that bill and the bill which really was not reported upon.

Tom Kennedy who works with Steve Leeper over at the Auditorium Authority is really our Auditorium Authority Construction Manager sat down and negotiated with the teams and he did restore some of the public bidding requirements so I do want to make that clear. Things like the advertisements, the teams agree that the advertisements be made public that the PAA that the Auditorium Authority will review contracts subject to certain criteria and a number of others. There is actually a nine-point memo that resulted from that negotiation.

So I do want to commend Tom Kennedy over at the Auditorium Authority for the good work that he did. However, I still voted against

it because in my view it erodes the public bidding process and the public supervision of the construction of those two ballparks. I can't in good conscientious vote to do that. Especially with respect to the Pirates given that they're first off the block but also in terms of our experience with the Pirates, I don't think that they should be given more control over the construction project process than they now have. Because there certainly have been instances where they have not been forthcoming with information about that control. So for those reasons I voted against it. Unfortunately I was on the losing end of that vote but this is an important issue and one that Council needs to be apprised of.

The Chair:

Another question that comes to me a lot is that there isn't enough local participation in a lot of the engineering, architect, whatever. I wonder by next week if, Mr. Cohen, I know you had a report today if you could maybe update us on a lot of the general questions that Mr. Ricciardi asked and maybe some of us again even if they are not your views maybe up date us on what is going on outside of what we are reading in the paper before our August break? I think we would all appreciate that. You have the most involvement there so some of the questions that we may have will be addressed to you. I think as far as not on Council but the general public can get a better feel for where we are.

Mr. Cohen:

I am happy to do that, Mr. President. I would just ask that if Council members have specific questions and certainly question about local involvement in the contracting is one of them, but if any other Council members has specific questions please bring them to me and I will see if I can try as hard as I can to get the answers.

The Chair:

Thank you.

Any other comments?

Hearing none, I would like a motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. COHEN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Cohen, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bills 1793 and 1785 can be found in the Standing Committee Meeting Minutes of July 14, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, July 27, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. O'Connor (Pres't)

ABSENT:

Mr. Ferlo

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are fortunate to have with us four Cub Scout members from Pact 601 in

Brookline. Dan Mead is in the third grade at Brookline Regional Catholic, Johnathan Andrews is in the Third grade, Andy Sywyj in the third grade all from Brookline Regional Catholic and Jerry Welsh-Spath who is also in the third grade and they're from Councilman Diven's District. They are accompanied by two of their parents Rita Mead and Linda Andrews. Scouts you want to come over?

Dan Mead, Jonathan Andrews, Andy Sywyj, and Jerry Welsh-Spath:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you guys. We have a present for you, a little gift. Councilman Diven you want to turn around and we will take -- a flag of our city and our country. Can we get a picture with you, Councilman Diven?

We have special guests in the audience today.

PRESENTATIONS

Ms. McDonald:

Councilman, I would like to bring them up separate. Can we have the Ron Tarpley and his family come up. And for each family I would like them to stay here

for both families all of the representatives from ACT-SO, all of the NAACP representatives from ACT-SO that supported the group.

I have to make sure I get the right ones here. Mr. Tarpley has won an award and I am sorry. And Mr. Tarpley has received an award for photography. I am going to read the proclamation and then have Keith Lawrence and his family come up as well as the ACT-SO representatives to stay up here because Mr. Lawrence has a rendition to give to Council. The proclamation reads as such.

**MS. MCDONALD AND MR. UDIN
PRESENT:**

No. 1886 WHEREAS, the National NAACP Convention and Academic Cultural Technical-Science Olympics, ACT-SO Competition was held in New York City the week of July 9 through July 15, 1999; and

WHEREAS, two young African-American males, Keith Lawrence, 17, of Franklin Park, and Ron Tarpley, 17, of Homewood, represented the City of Pittsburgh in the ACT-SO competition; and

WHEREAS, Keith Lawrence, a viola player, performed Prelude from an Unaccompanied Bach Suite No. 2. A graduate of North Allegheny High School, Lawrence chose the work because he is a dramatic person and the piece was full of emotion. Mr. Lawrence received a National gold medal for his classical instrumental performance; and

WHEREAS, photographer, Ron Tarpley, is a senior at the Pittsburgh High

School for Creative and Performing Arts. Mr. Tarpley received National recognition and a local gold medal for his series of photos titled, "The Innocence of a Child." Mr. Tarpley has studied photography since the age of 13; and

WHEREAS, under the dedicated leadership of local ACT-SO Coordinator, Angie Morgan and Assistant Coordinators, Willa Hicks and Catherine Davis, Mr. Keith Lawrence and Mr. Ron Tarpley have triumphed to victory.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Keith Lawrence and Ron Tarpley, ACT-SO winners for representing a positive image among African-American youth and more importantly African-American males.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declare today, July 27, 1999, as "Keith Lawrence and Ron Tarpley Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

It is indeed an honor to be able to present our ACT-SO winners and our representatives from the City of Pittsburgh. I would first like to ask for remarks from Councilman Udin and then remarks from Mr. Tarpley, do you have any remarks? You have to say something.

And if would you while you are at the mic if you would introduce your family members. I have a listing of them but I would like to you introduce them.

Mr. Udin:

Congratulations to all the winners and thanks to the NAACP for promoting this kind of positive development for the youth in our community. Congratulations.

Ron Tarpley:

I would like to thank you for awarding me with this, you know, and recognizing me. This is my mom, she actually got me started in art, put me in art classes and everything and right next to her she is like my God mom to me, Bridget Wades and next to her is my brother McGell (phonetic).

Here I have the three pictures that one the local gold local. This is my friend Marcus I took a picture of him. Here these are kids I found up the street from my house playing and I took that and that's a picture of my brother before he got his braids cut off.

Ms. McDonald:

Thank you very much.

We're going to take a photograph and then the ACT-SO stay up here and then we will ask Mr. Lawrence and his family to come up.

Now we would like to have Mr. Lawrence and his family to come forward and receive a resolution. I am proud to introduce Keith Lawrence and his family one that most Pittsburghers do know and if you don't know pick up a

book and read and that's Dr. Valerie Lawrence, writer. I guess you have it honest.

I would like for Mr. Lawrence to introduce his family. I understand that your father is Singapore on a business trip and we have the Griffin family here so you're going to have to introduce everyone. And lastly we're going to introduce all the NAACP representatives. We have our Executive Director Third Vice-President ACT-SO Coordinators, we have many NAACP representatives and you all will also receive a resolution for all your volunteer efforts that you expend in terms of helping the young people.

NAACP is about civil rights but also encouraging and promoting our youth to make sure that they take on the task of keeping the faith and keeping the fight alive because we still have a long ways to go. So Councilman do you have any remarks? Mr. Lawrence, I would like you to make some remarks and do your thing.

Keith Lawrence:

Okay. I just wanted to say thank you to everyone who supported the ACT-SO and the NAACP Convention this year. This is my second year competing. Last year I won third place and like since then I have just been waiting to go back. This summer I mean it was just a great highlight of the summer and I want to thank everybody, all the NAACP representatives and everyone who supported me. I have to give a shot out to the Griffin family over there because they have been with me since I was born basically and my mother and my father definitely. My father is here in spirit he couldn't be here. He is on a business trip

in Singapore and my oldest brother Ronnie is also taking care of business right now. But I have my mother and my second brother Omar here. And thank you everyone for supporting us, NAACP, ACT-SO, me and just for being supportive enough for everyone. I guess I am going to play now.

I am going to play what I played at the convention which is the prelude from Unaccompanied Box Suite Number 2. Give me a minute here.

(Mr. Lawrence performed on his violin)

Mr. Lawrence:

I forgot a little.

Ms. McDonald:

From jazz to classical. We have had jazz in here, we have got classical in here. Excellent, excellent, excellent. I am so proud and like I said this is not a little girl up here this is a grown man up here. This is a young male, African American male that has shown us we can do all things. We can do all things. Keith, I am proud of you.

Also I would like to ask to come up now to introduce all of the NAACP, ACT-SO Coordinators and all those involved at the NAACP Level, Connie Parker who is our third vice-president of the Pittsburgh NAACP branch.

Ms. Parker:

Good morning. Wasn't that very pleasing to the ear. And such a blessing to have such a fine young black man stand

here and give us such a rendition. I want to thank his mother and father for doing such a terrific job.

You know there is such a thing as good news. All the time we don't have to have negative news about our youth today and this is what I call good news. I thank you and congratulate you and the NAACP hopefully will support you on going and all our youth and make a positive movement.

We have here our Executive Convenor Louise Jenkins, we have here Debra was Youth Council Leader, she stepped down and took another active part along with NAACP, she does not continue, she does not cease her work, she has found another position that she can go with now. Ms. Davis has been Assistant, Willa Hicks and she is also new on board and we certainly thank her for her energies that she has put in this ACT-SO. Angie Morgan, which was the lead of this, is not here and we salute her.

The message from our leader, Tim Stevens as President NAACP is that we keep moving, that we don't stop now, that we keep going forward. We thank you and congratulate you Keith and also Ron and say God continue to bless you. Thank you.

Ms. Lawrence:

Again, I would like to reiterate the thanks to all of you and I would also like to offer all of Pittsburgh the opportunity to work with all of our youth. Keith is just one of the talents that we have here. Pittsburgh is bubbling with many talented youth. So step out, give them a hand and help them develop that talent so that they can show you all the gold that they

currently have that they do hold. Pittsburgh is very rich. Use your youth; help your youth. I thank you very much.

Speaker:

I must say thank you again to City Council for saluting our youth. Thank you, Ms. McDonald, for having them down and also Sala Udin. Again thank you.

Mr. Diven:

At this time I would like to call forth Mr. Chuck Senft from our Parks and Rec Department and the members of the Brookline Boxing team. Come on up and receive a proclamation here. I can tell you that myself having been someone that worked out in Chuck's program, this is one of the shining examples of CitiParks and the diversity of services they offer and the opportunities offered to communities. This Brookline Boxing Club is intricate to the fabric of the neighborhood. I think anyone in Brookline growing up was always aware of Chuck and aware of the accomplishments of this team. He has been putting in a number of years at providing the opportunity for kids from Brookline and all of the City of Pittsburgh and even the region to fight competitively and to work out and build the skills and the confidence and to excel in not only boxing but in life. So this proclamation is to recognize him and the accomplishments of this year's team.

MR. DIVEN AND MR. RICCIARDI PRESENT:

No. 1887 Whereas, the Brookline Boxing Club was established in 1957 at Moore Park in Brookline and has been

coached since its inception by Citiparks Center Director Chuck Senft; and,

Whereas, the Brookline Boxing Club has won titles in the divisions of Golden Gloves, Silver Gloves, Golden Belts, Silver Belts, AAU and AMA Jr. Olympics as well as City of Pittsburgh Recreation Champs and defeated teams from Michigan, Ohio, West Virginia, Philadelphia and numerous local clubs; and,

Whereas, Coach Chuck Senft has trained many City of Pittsburgh employees including city firefighter Tommy "The Alterboy" Alexander, and many notable celebrities including former champion Michael Moorer, surgeon Tim Ward, WDVE radio personality Jim Krenn and comedian Matt Wolfarth; and,

Whereas, the 1999 Brookline Boxing Club team, representing the City of Pittsburgh, won 8 gold and 7 silver medals in the Jr. Olympic championships, and Scott Magdic won outstanding sub-novice fighter; and,

Whereas, the 1999 Brookline Boxing Club team consists of the following members: Ryan Simmons, Phil Giampa, J.B. Reagan, Mark Daley, Tony Susan, Brian Wilkesmore, Ronie Cabili, Scott Magdic, Mike Custer, Robert Watkins, John Yimin, Dave Wacker, Shane Carpenter, Jim Bauer, John Prilla, Greg Greco, John Rutherford, Brian Brugos, Craig Masterori, Mike Raffaele, Ted Bayens, Ryan O'Connell and Ben Johns, coaches Mike Bayens, John Landasky, Mike Linkner, Dave Cippollone, and head coach Chuck Senft; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates the 1999 Citiparks Brookline Boxing Club and its coaching staff on all of their accomplishments and awards and declares Tuesday, July 27, 1999 Brookline Boxing Club Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to call up my former Coach Senft and ask him to say a few words.

Mr. Senft:

Okay just to point out a few things about the individuals themselves. Like Scott Magdic he was 178 pounds Golden Glove Champion; Phil Giampa 105 pound champion; Brian Wilkesmore 240 pound champion Junior; Ryan Simmons, Junior Olympic Champion 75 pounds; J. B. Reagan, Olympic Champion 110 pounds, Ronie Cabilr, Senior Golden Gloves Champion 125 pounds; Tony Susan, Junior Olympic Champion, 145 pounds; Mark Daley, Jr. Olympic Champion 130 pounds; Jim Bauer Senior Gold Gloves Silver Medal and Champion from last year 200 pounds, Robert Watkins, Jr. Olympic Silver Medal Champion 85 pounds; Shane Carpenter Senior Golden Gloves Champion 178 pounds; John Prilla Senior Golden Gloves Silver Medal Super Heavy weight; John Yimin Jr. Olympic silver medal 250 pounds; Greg Greco, Jr.

Olympic silver medal champion and silver medal winner this year 70 pounds; Ben Johns Junior Olympic Semi Finalist 139 pounds; Brian Brugos Jr. Olympic Semi Finalist 225 pounds; John Rutherford Senior Golden Gloves 165 pounds; Craig Masterori Senior Golden Gloves 156 pounds; Mike Raffaele Senior Golden Gloves 178 pounds; Ryan O'Connell Junior Olympic Golden Gloves 139 pounds; Mike Custer Jr. Golden Gloves 125 pounds; Ted Bayens Junior Golden Gloves 139 pounds. Reason I am saying this it shows that there is such a diversity in sizes, weight and so forth. A junior can be 250 pounds and they fight in competition and that throughout the locally, throughout the state and going into the other areas. So they have accomplished a heck of a lot.

Some of the fighters could not be here today because one just called me from Florida he couldn't get back in time, he called this morning to let me know he wasn't coming. Some are at camp, some are working they started a new job, some are on vacation. And I am sorry they are not here but it was a privilege that City Council would take time to acknowledge them and honor them in this manner. But I know they miss it and I am happy the ones that did show.

Through the years and what the kids have accomplished is an awful lot, when they say Brookline Boxing Club, Brookline boxing club takes in Northside, St. Clair Village, Arlington Heights, Mount Lebanon, Dormont, Mount Oliver, they come in from all areas. It is a city wide boxing tournament. No one is turned away from any phase. Lately the last couple of years now, I have had females come in and it took me a long time to

decide to accept this. I was not in that manner but the AAU and the AMA they do accept it today and I have women coming in. Now young ladies and that and 125 pounds, 150 some pounds some are in their 20's and they want to go into this type of competition. The big thing is when you go into any type of competition, as long as someone -- who is going to look out for your safety? I have been doing it for 42 years, safety records outstanding no one hurt. I work harder on fundamentals, conditioning and that. The boxing then comes further on down the road.

Most of the people will not make the tournament team but they are all part of the team. And you should see the unity from all these areas that we have and I have talking about rough areas. Come in there and they have a unison as a team and anyone throughout the city has kids want to get them off the street, call me. I am willing to take them. I have some of the roughest individuals you want to come across and that. When they're in that program I don't have no trouble with them. What they do afterwards, I am not with them all 24 hours and that but they work hard at the end of the night, two and a half hours they're ready to go home and work.

Carl Shrader and that, I took him in when he was 18. He was standing there on the sidelines and that. I recruited him and got him into the program. He is in his 20's now, he always wanted to be a policeman and he is on the SWAT team today. I tell him in front of him I made him what he is today. He doesn't say anything back so maybe it's true. I am happy.

I am very happy for him and I am so happy for all the individuals. All of these kids they're not always nice they look

nice and everything else but when they're in that program and that there is no swearing. There is no fighting. There is nothing. There is all unity that's our strength because we build on a team basis and that.

I appreciate Council taking time to acknowledge the individuals and appreciate Councilman Diven and that for having us here. Like I said I am not going to say it. But he came to me he was about 250, 260 pounds when he ended up fighting in a tournament, he got down to about 220 something like that he looked tremendous. You still do. Thank you very much.

Mr. Diven:

I should point out I think Chuck, one of the good things about his work out you see the fighters here and the guys who have actually gone into competition. But during the evenings, the Brookline Community Center during the fall and winter months you can go down to the gymnasium and it is packed with as many as 70 people working out. Head Chuck had a video camera and decided to market this idea. I think he was the originator of Tae-Bo because you have a lot of people that go down there. It is a great cardiovascular workout and they have no intention of fighting but it is a great way to keep in shape and a good way to tone up. Like he said when I started fighting I thought I was in good shape. Because I played Division One college football, but I ended up going from 275 to my fighting weight which was 236 and that was through a lot of work out down at the Brookline Community Center and it was a great experience.

I think it is something that instills confidence in people that go through the program. I know that I had a fight in Erie where I fought a fighter from Erie. I can remember working out and having the Erie fighter who I was fighting had probably about a thousand people in the stands that were booing me when they called my name. When I decided to run for the Council, I figured if I can get into the ring and go against someone and worry about getting knocked out, it is a lot easier to get up and debate someone. Because at least you know you are not going to get sucker punched. That was one of the -- but that was one of the highlights of the program. I think that a lot of these kids if anybody wants to come up and talk about your experience, we would appreciate it.

Mr. Senft:

I asked Carlos.

Mr. Diven:

Carlos is a former champion and now a city police officer.

Mr. Schrader:

I need to correct Chuck on a few things. One, I am well passed my 20's and my 30's. He is way too kind with that. He is trying to hide our age for us.

These kids that have been doing this, Chuck, I remember we saw pictures of him in 1965 down at Moore Park when I was born. I couldn't believe he has been doing it that long but like he said he recruited me. I was standing around I was a typical punk kid on the street and he brought me in and asked me to fight for him which I did. Through his tutelage, he

learned me how to control my anger and how to handle people under stress. I owe a lot to Chuck for that.

I want to thank him now and as Councilman Diven will tell you as he has already said, we have learned not just boxing skills from Chuck but actual skills about being an adult and being a man. Thank you.

Mr. Senft:

If you don't mind bear with me, Carlos. When he went to Philadelphia we won the championship locally and we had to go to Philadelphia to fight Philadelphia for the State Championship. It came down to Pittsburgh and Philadelphia tied equally and that. Here comes Carlos's fight in it would take a bull I always thought to knock Carlos down and that. There is nothing that could put Carlos down. But the first round when he went out there he did a no no, he got his feet close together and the bull from Philadelphia put him down. When he came back in the corner I talked all kind of niceties in his ear and you could see him grinning and growling and his teeth grinding and that. The people, the judges from Philadelphia were laughing their heads off. Well when he came back out he threw his two lefts, he threw his right, struck the Philadelphia fighter in the right position, in the right place, Philadelphia fighter went into the ropes. He went in there and finished him off and Pittsburgh won the first State Championship in a long, long time against Philadelphia.

And I got also Donnelly's John Porella and Jim Bauer, they fought two outstanding come back fights up in Erie, standing room only. They mentioned

Pittsburgh, nothing, Erie, kids nice strong looking kids, youthful, come out Porella's an elderly individual. I guess we call it elderly, someone in the middle 20's or whatever, but any way he came out there and this young fellow tore him to pieces. I stepped over from the corner, went over into the middle of the rink and almost the side of the rink almost ready to stop the fight, and I thought, I can't, I can't stop it. He's not ready to give in. Second round he went out there, he caught the individual with a straight right, put him in the ropes, went in there and finished. The kid was hanging over the ropes, you could here a pin drop in Erie, Pennsylvania and that is when Pittsburgh won the fight at that time.

So Jim Bauer had the same type of fight and that down at the Weight Masters, down at Wilkinsburg and that same type of come back fighter and that. Two of the outstanding fights along with what Carlos had and that they were great.

Scott Magdic can you step out here a minute? Scott he won the most out of 140 some fighters, he won the fighter of the tournament in there. He had three tremendous tough fights, came back hardship and that and finished the individuals off and won the championship and that through the whole Golden Gloves. So I won't tie up any more on that but they should be acknowledged for their efforts on that. Thank you.

Mr. Udin:

I just want to take a moment to thank Coach Senft for not only the athletic training that you provide to the youth but coaches like you have always stepped in the community and provided character development training for a lot of the kids.

You are responsible for keeping them off the streets and out of trouble. And there is a colleague of yours who I know that you know who has passed recently, Coach Charlie Daniels. He just passed this weekend and all of you guys who stepped in and helped these youth deserve our respect and appreciation. Thank you very much.

The Chair:

Congratulations keep up the good work.

At this time Council will hear any public comments from anyone wishing to address Council. Will you please step to the microphone. You are allowed three minutes. Please give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219. I came today to thank the anonymous donor who gave me 14 tags in order that underprivileged children would have an opportunity to go swimming. It was kind of disappointing when I was giving out the tags, there were other parents who saw me and came up and were asking if I had any. So again, I am asking the people in the neighborhood, if you have the resources and in your heart to move you, if you would pay for a child to be able to go swimming.

Now the second thing, I would like to address this to Mr. O'Connor, the President. I put in the petition to have the open hearing for Chief Fadzen, the head of

security for the Pittsburgh Public Board for the school system. That was June the twenty-third. I came here on the 21st, on the 20th, July 20th that was my birthday. I came the 21st I then asked when would the hearing be. Mr. O'Connor, you came after the meeting whispered to me and told me the 28th. I did not receive the official notification until the 25th that was the 24th that was Friday. But I am a little bit disturbed because when I come here it seems to be that you think I just come to hear myself talk. I came here because 30 people signed that petition and they wanted to know when the hearing was. So that means that I had gotten it Friday evening, Saturday Sunday, Monday. I am trying to tell the people in the neighborhood to come where you could have told me and they could have heard you to know when it was. So when I come and ask the questions, Sala, told you and all of you, yins don't answer the certain people when you don't answer all and you refuse to answer me and I am tired of it.

Now another thing I would like to bring up. This is about up in the Hill District. I was driving past in the car I saw a man go into Ham's Barber Shop, heavy set white man came and grabbed the man from his back, threw him down the steps, had him cornered against the thing. While I find out he is an undercover cop and what he had did was grabbed the man. He was saying something, the man opened up his mouth, he is shaking his head and he is saying no. I guess he was asking him if he had any drugs. He took the man and he grabbed him and he choked him. The man's tongue is hanging out and he is trying to throw up and he looked like he was dying. You know who I thought about, I thought about Johnny Gammage.

I am saying if you get these people and they say they don't have drugs, you know how to take them down in the police station and find out. It reminded me when I seen Jake Millionnes one time in front of the Crawford Grill, Judge Little was with him. They had grabbed a man and they were beating the man. I remember hearing Jake holler and screaming and Jake was hollering and screaming. I felt like screaming when I saw that man. Don't treat us people like that, don't let our children have to see that. Take them down in the police station and do that. I thought about Johnny the way he died the way that man had his tongue just hanging out.

The Chair:

Next speaker please.

Ms. House:

Good morning. My name is Angela House. I live at 720 Watt Lane in the Hill District. My employment is as a coordinator for the Hill District Consensus Group. We're made up of community-based organizations, agencies, block clubs. I would say that we are the point of contact for things that are going on the Hill District. There is nothing that goes on that we don't know about. We had meetings two years ago around Maglev.

I am here in response to the meeting that I watched last week when there was something said about someone in the Hill gave the Maglev people permission to do this. And I am here to tell that after several discussions, after a town meeting with the developers, after a press conference with our chosen leaders that represent us, said no. We do not want it.

There are several issues one being the air pollution with 5,000 cars in a parking garage. I don't care if they are underground or aboveground. Increased traffic, the visibility, the technology is unproven and we don't see it as any kind of benefit for the residents of the Hill District. So whoever is reporting themselves to be a representative and saying that the Hill District has given its permission that is not true. That's all I have to say. Thank you.

Mr. Horde:

Good morning my name is Earl Horde and I come to address the issues of Maglev also.

I have been a resident of the City of Pittsburgh and Hill District for most of my life. I became aware of the Maglev issue some two years ago. I have attended meetings, been made part of the presentations that were made, in fact the last presentation that was made included the Penguins Hockey Club, and a proposal for a 5,000 car parking garage. I do not support this project and I would like to provide you with reasons for not supporting it.

I have prepared my comments in writing and will submit them to you following my presentation. First and foremost, I do not believe the project will provide any meaningful benefit to the region or the adjacent residential community. I do not believe it will create jobs for the residents of the Hill District. Just as most of the parking lots today are being automated, I believe the proposed parking lot would be automated as would the transportation system there by not providing very many jobs. I am also

concerned because magnetic levitation is an experimental form of transportation. I have been advised by an expert on this process that the weather in our area could render the system unworkable.

Further more, I believe that experiments of this nature should not be conducted adjacent to newly developed residential areas. The unproven form of transportation could leave with us an unsightly structure at the foot of a very attractive residential area. The emphasis that is being placed on sports in the city should cause us to more carefully plan for the use of space adjacent to our sports and entertainment arena, the Civic Arena. I question that an experimental, very short and narrowly defined use transportation system is an appropriate use for this site.

Western Pennsylvania has recently experienced several ozone alert days. These are as you know days when the quality of air forces a reduction in the use of internal combustion engines. While serving as Commissioner of Aviation for the City of Chicago, I became involved with air quality controls issues. I learned that auto emissions are significant contributors to air pollution and that idling engines are major contributors to this problem. The proposed parking garage would add several cars at peak commuting periods waiting to enter or exit the garage. These vehicles many idling would add to the problem of air quality and expose the residents many of whom are elderly and young to the ills associated with poor air quality.

I therefore do not believe that the highest and best use of the proposed site as a parking lot for the untested experimental transportation system. The site should be used to enhance the quality of life for the

residents of the city with emphasis on the Hill District. I propose that we pull back from endorsing this proposal and consider the following.

May I continue?

The Chair:

Please do.

Mr. Horde:

I believe we should focus on uses that will create meaningful jobs that the residents can apply for. The largest employer in the Hill is Hill House, a social service agency. We need commerce in the Hill. Create some green space for Hill residents and downtown workers, and if parking is a must, but it underground.

I suggest that we examine the Soldier and Sailors Memorial Hall in Oakland with a grassy knoll and around parking. The city has need for more hotel space. I can envision a high rise motel on a grassy knoll with benches and walking paths and with, if necessary, an underground parking garage. We can have all of this maintain our view of the skyline of the city and have jobs, green space and beauty. We need to create an opportunity for local including Hill District entrepreneurs to own or operate the hotel and the associated concessions.

For these reasons I rise in opposition of the Maglev and I urge you to reconsider, plan longer, and think more carefully before you approve this project. Thank you.

Ms. Urquhart:

Good morning, Council, my name

is Dorothy Urquhart. I reside at 5811 Penn Circle North. Each week I come to you with truth and proof. There are many spiritual leaders, the shepherds in the area that say that they serve the creator, the living God, yet they are silent when they see and hear of their lambs being abused and slaughtered as they are here in Pittsburgh. This should be a city where there is anything wrong where if there is anything wrong you should be able to come to City Council and work it out.

I have been here coming to City Council about a problem that I have in my district with Mrs. Valerie McDonald and in District 9. I have been coming because my house is no secret I am tired of paying \$571 a month for something that I do not have renovations. And it is the Urban Redevelopment that is behind a lot of the corrupt and fraud that is going on in this city.

I come because not only because it is a personal problem, it's a problem that is going on in this city and no one is doing anything about it. No elderly person or anyone should have to get their home renovated go to a bank, and the URA be in charge of it and their home do not be renovated and nobody do anything about it. This is a problem here and I will keep coming to City Council until someone can give me an answer. Mrs. McDonald needs to come out and see what the problem is. Not only with my place but what is going on in her district. This should not be allowed.

They have billboards saying don't have fraud report fraud. Well there is fraud going on here, right here in this city and no one can see it. I am a black woman maybe that's the reason but it should not

be. I pay my taxes. I pay just like everyone else. I should not be allowed to live in the conditions and go through what I have been going through. And it is the City Council that I have been turning to and I am not the only one that is being hurt in this city.

So it is time for the City Council to look into the problem. There is a fraud going on and you should look into it.

Mr. Peters:

Good morning. My name is Ronald Peters. I live at 609 Hawthth (phonetic) Street in the Crawford Square community. I moved to the City of Pittsburgh eight years ago in 1991 to take a teaching position in urban ministry at Pittsburgh Theological Seminary. At that time coming to the city to find a place to live, my family and I were shown by realtors a number of sites, which we might invest in to purchase a home in areas like Cranberry, Aspinwall, Monroeville and other areas around and outside the City of Pittsburgh. But because of my own interests in the urban ministry and my commitment to urban redevelopment and urban development, we were, my wife and I quite pleased to find the growing development of Crawford Square and it compared very favorably to areas in Cranberry, Upper Saint Clair for what we wanted as a place for our family to live in a residential neighborhood that was surrounded by people who felt comfortable about the city and good about it.

We have been greatly disappointed about the developments surrounding the proposed Maglev development on the edge of Crawford Square and I rise to speak against this. Primarily not because I am not interested in the economic

development of the region, I think that's very important. But I am concerned about the welfare of the city and when I and many of my neighbors were shown and talked and encouraged to invest in the Crawford Square area, none of this was considered. It was only after we were there that this idea began to emerge. We have attended community meeting after community meeting and we have not been satisfied that our questions have been answered.

I rise to speak against the this sort of experimental kind of transportation system which does not seem at least in what we have heard to best serve the interests of the Hill District, the residents of the area, the probably bringing in pollution and so forth. These questions have not been answered to our satisfaction.

I think the Council has been mislead by some as has already stated by others that there is a basis of support in the Crawford Square Hill District area that does not exist. As one of the residents of this community and one of the residents of this city, I rise to let the Council know publicly that there is significant opposition and concern to the Maglev development as it has thus been proposed. I urge you to reconsider any kind of commitments regarding this development. Thank you.

Ms. Wilbury:

Good morning. My name is Emma Wilbury, I live at 5138 Centre Avenue. They uprooted me in 1957 and put the Civic Arena in and after those years I am back, relocated but it is not same. I just want to get up here and say I disagree with the transportation. The suburbs come in and park all over our community during

the day. We do not have a parking space. Up around the Connelly Trade, you park up there all day long free. You park in front of my door 15 minutes you get a ticket. They run around giving tickets from one to three or whatever time that is and then in the evening its not fair to the community.

Then we have the high rise, (inaudible) give us a nice parking lot out there. No we don't want that. We don't want no cars parking in there. We would like to have some scenery out there, swimming pool, recreation, flowers and a nice scenery for the senior citizens. We are here to stay. We made the foundation and we do not want this transportation in place.

Just about every Councilman in here I have a background with some of them. When it was blue jeans style like my great grandchildren, I am a five generation. We are living a long time now. And I pray and ask you all to don't put the transportation in. We do not need it. Give us a store, activities for the seniors cause we are here to stay. God bless you all.

Ms. Smith:

Good morning. My name is Estella Smith. I reside at 1627 Wylie Avenue in Crawford Square Phase Two. My daughter owns the home there. I am also President of the Crawford Square Homeowners Association. There are now 60 homes that have been built in Crawford Square phases one and two, and three is just under construction with the third home being my home that is located at the corner of Webster Avenue and Manilla.

I am representing the Homeowners Association today as well as myself. I speak against this project as I have from its inception. I think it is ironic that at this particular juncture and we're talking about building a facility for 5,000 automobiles that we are embarking upon a phase of Crawford Square that is requiring an enormous investment on the part of the homeowners as it has required of the homeowners in phases one and two. That we are now thinking about or the Council is now considering and preliminarily approved leasing to an organization that plans to build this facility. That homeowners who have invested their time and money in a community that they were encouraged to do so are now being told that they're going to have 5,000 automobiles come into the community every day. It is counter to everything that I have heard, as I have lived around the country, about encouraging vehicles on the roads.

We built an HOV lane to encourage people to car pool and to van pool several years ago in this community. And didn't have enough cars or vans with three people in them to use that HOV lane that we had to reduce to two people. And now there is only moderate traffic. And we are going to now go counter to what we supposedly believe in as it relates to pollution and the quality of health and life and impose upon a community of residents 5,000 vehicles. It is utterly unbelievable to me that Council would even consider this.

We are in opposition to this project and we have been in opposition to it from the very beginning. We recognize the need for economic development. We know that there is a need for this land to be developed and we are in support of that which benefits the city but also that which

benefits our community. And we would like the Council to think seriously about the quality of life for the residents, to think seriously about the health of the residents, and also to think about the property value and the life savings that people have put into their homes.

Thank you.

Mr. Britton:

Good Morning. My name is Horris Britton, I am a business owner with a business in CDI (phonetic) Services in Lawrenceville. I am also President of the National Association of Minority Contractors, Black Contractor Association.

In concerning the Maglev project, let me first say that one of the primary concerns of any community is where they live and what they do. I am not a resident of the Hill District, I am quite familiar with the Hill District having grown up across from Irene Kaufmann Settlement on Centre Avenue. I am quite aware of the progress that has been developed through the City of Pittsburgh and I am also aware of the Crawford Square Development where two of my daughters and my son have resided.

I understand the concerns of the citizens. I understand when they say that there are some concerns about the economic development, which I support and needs to be done in the City of Pittsburgh especially the Hill District. I understand when they say there is some questions about pollution that they need to have answered. I also understand when they're concerned about what benefits will be provided to the current residents and I am sure they are concerned about what

residents in the future having access to jobs and to areas which in the Hill District is currently not available.

I am in favor of Maglev. I am in favor of Maglev for several reasons. I am in favor of it because I do believe that it is going to provide work for the many minority construction groups and people throughout the area. I think that it will benefit the residents, not only the residents currently living there but their sons and daughters. Maglev because of all the questions that may arise here and have been pointed out here maybe there is some information that needs to be provided by those that technically know about the Maglev and how its operates, about the pollution aspect and what that actually begins.

My concern is number one when you look at the progress of air and economic development what we need in economic development is access. The Maglev will provide access in my belief. It will provide access. This is just the beginning, not only between the Hill District area, but eventually into Oakland, areas reaching out to the airport and to Cranberry which will allow our young kids to go to those areas for jobs. When you look at the development you look at what can be developed around site, developers, people concerned about economic development are going to look at access to the area whether it comes from the suburbs, through a Maglev or however it may come. But they do need to have access.

Maybe we are at the point and I ask of you Council that there needs to be some further explanation into it, or some other consideration as to the if in fact they do

have questions there is someone that can answer these questions and there can be an issue that can be put about so that finally we can come to some decision about Maglev benefits.

Again, I am for the Maglev Program. I believe it is broad economic development, I am also concerned and do appreciate the concerns of the residents. Thank you.

Mr. Williams:

Good morning, Council. My name is Irvin Williams, and I am a resident at 605 Arthur Street, which is a portion of the Crawford Square Development.

I am currently a business owner in the same neighborhood, which is in the Hill District, which abuts the Crawford Square Development. As a developer I am currently in favor of the Maglev project. I see the benefits that have come from the development and the opportunities to improve our transportation system here in the City of Pittsburgh. Which in my personal opinion is very antiquated dealing with the rubber tire situation.

I believe that commercial development in that neighborhood which is the Hill District, but more importantly a part of the City of Pittsburgh is much needed. I now have to ride an HOV lane to go to shop if I need to hit anything in my neighborhood. I now have to spend 20 minutes trying to get from downtown Pittsburgh to Oakland at rush hour time.

I am looking for an opportunity to increase my ability to move around in the city in which I live, which is no transportation system similar to those in

other major metropolitan areas which has the ability to move large numbers of people in short periods of time. This development brings a lot to my particular neighborhood. Most importantly it brings jobs and economic vitality.

My neighborhood cannot remain as a residential neighborhood alone without the opportunity for me to be able to shop and do business in my neighborhood as other neighborhoods in the City of Pittsburgh have been afforded that particular opportunity. Thus, I am in favor of that development of that site such that other African Americans may lay claim to development on the other site or other portions of that parcel to improve my neighborhood which happens to be the Hill District, which happens to be located in the City of Pittsburgh, which is truly my neighborhood as a whole. Thank you.

Mr. May:

Good morning. Again good morning. Are we awake here? We pay you tax dollars to be woke, you know what I am saying? My name is John May committeeman in East Liberty, 11th Ward, 18th District.

Most of my comments are going to be focused on my representative of Councilwoman Valerie McDonald. I wakes up one morning, I looks in the paper and I see where yourself and the President of City Council have hooked up to undercut 50 percent of the TIF money that is going to be beneficial to our community. So why am I focusing on that? And what is it to me? I want you two to explain to me why you did that? Because a three year old child told me the other day 50 and 25 that's two different ballgames. You get

the picture? Why did you do that? You want to be Mayor and you can't answer the questions.

The Chair:

I am not sure what you're talking about.

Mr. May:

Yes you do, you know what I am talking about. It is in the paper.

Ms. McDonald:

Mr. May, if you would please allow a response. First of all, I also don't know what you're talking about. I understand it is in the paper. Mr. May, if you would just let me give an explanation as to what we have before Council. There are two pieces of legislation. One has been already passed sponsored by Councilman O'Connor and I forget who were the co-sponsors on the legislation, that dealt with construction jobs. And the unions and making sure that the Mayor's Executive Order was codified in terms of legislation. It is now an ordinance.

My legislation will be discussed tomorrow. I will be amending by substitution, I am working with the Department of Personnel on the language that something that not only is feasible but something that the entire community, the corporate community can embrace. My legislation deals with post construction employment only.

Mr. May:

That is all well and fine, but the community don't like that I am telling you

now.

Ms. McDonald:

Well, I am sorry the community doesn't like post construction employment. I think most of the community does.

Mr. May:

We pay tax dollars to hire you, you are supposed to do what we want you to do, not what you want to do.

Ms. McDonald:

Again it deals with making sure that anybody who uses a TIF anybody that uses TIF, utilizes city residents for employment first. To the general community that's my explanation, so again it will be discussed Wednesday, tomorrow.

The Chair:

Next speaker please.

Mr. Pu:

Mr. President and Councilpersons Ricciardi, Hertzberg, Diven, McDonald, Cohen, Onorato and Udin. My name is Edward Pu (phonetic) I have lived in Pittsburgh for 18 years. I lived in North Point Breeze, Manchester, Garfield, and now I live in the Upper Hill District, I bought a home there. I am here to speak positively for the Maglev project. I am a humorously told that opinions are like another part of your anatomy, everyone has one and is entitled to it. So with your patience I would like to share my opinion with you.

In many ways I do not believe that

my opinion is any different from those that have been voiced. That people in a community are concerned about any and the all things that would impact their community. And I am honored to share my limited knowledge about the project and how I know it to impact the Hill District.

First, there are some 2,500 cars that are currently parked at the vicinity in which the 5,000 place car garage will be built. Extensively doubling the number of cars that will be parked there is supposed to according to consultants have no adverse effect over what currently is being parked there.

Secondly, given the construction of an elevated parkway that is to be underground, I understand that there will be additional areas for development, additional acreage. And of course that clearly the community should be concerned about, people should be concerned about what is going to happen in my community and how will I be impacted and in fact will I benefit? I understand that URA, City Planning and other agencies as well as the city collectively is involved in looking at and being apart of how the area is to be developed especially since it is city owned.

I am here because yesterday of course on the KQV and in the Tribune Review there was talk about Maglev and about Ron's inner city communication, that's like from Pittsburgh to Philadelphia and all of that and there was statements about where the industry to in fact develop in North America and wanted Pittsburgh to be the Maglev capital of the world. The radio things were saying yesterday tens of thousands of jobs could be created. I

know in the new millennium with new transportation and new needs sometimes it is hard to really know what is true and what is not true. This I do know. I know that elevators allow us to get up and down in buildings and part of the new process about Maglev is that low speed Maglev -- can I have another 30 seconds?

The Chair:

Please summarize.

Mr. Pu:

That low speed Maglev would allow us to communicate intra, within the cities, and high speed Maglev would allow us to communicate between cities. So the high-speed people are saying tens of thousands. What I know is that new technology is frightening and often it scares us. But I believe that Maglev, both Maglevs can bring to Pittsburgh the kind of industry and the kinds of jobs that everyone in Pittsburgh and the Hill and everywhere else wants. Thank you.

Mr. O'Laughlin:

My name is David O'Laughlin, I am the President of Western Pennsylvania Maglev Development Corporation.

And I would like to ask George Parenus (phonetic) to come up and I want to go through just a brief set of drawings that have been done that will perhaps bring some light to this process. George, if you would please show what it is that it looks like now.

Mr. Parenus:

I don't know if you can all see this.

Unfortunately I am in the wrong angle but this photograph was taken from Wylie Avenue in the proximity of Crawford Street. There is presently a situation, which exists in terms of the parking so it goes from Bedford Street all the way to Centre Avenue and abuts tight up against Crawford Street. What separates it from the street itself is a chain link fence. As you can see, everyone it is actually not a very sightly situation so presently that is what we have.

We are proposing I also have you probably cannot see this. On this particular drawing the dark line is Crawford Street, the garage that you see that we are proposing is actually below the level of Crawford Street and through a series of meetings that we had, we have lowered it as was suggested earlier. I have taken a perspective from exactly the same location and you can see what we now have is a situation where we are not abutting up against Crawford Street but are a minimum of 25 feet and up to 150 feet away from Crawford Street. We also have landscaped the edge. We asked during a series of meetings that we work with the community and talk about the landscaping, we were asked during those meetings to put landscaping on top of the garage so that only about 800 cars are actually visible from that point. But you can see we have no way obstructed the view from any of the locations along Crawford Street or Crawford square. In point of fact, again through a series of meetings we held we're proposing that the garage actually stay away from Crawford as shown here and provide most of the site for development that is -- would be in concert with the community. I am wrapping up here.

And finally you can see the

landscaping as we proposed and the landscaping on top of the garage itself. All of the access is from Bedford all the departures are from Mario Lemieux Place, so nothing would be on Crawford. Thank you very much.

Mr. O'Laughlin:

If I may, I just -- I would like to introduce.

The Chair:

Are you two speakers?

Mr. O'Laughlin:

There are two of us yes, George and I. There was a study, a set of studies done at the request of the Hill CDC that we did as far as the traffic is concerned and as far as the air pollution is concerned. There are (inaudible) RWDI who did all the air pollution studies at the airport did our studies. We paid for those studies. Those studies both were positive as to the both the air pollution and the traffic aspects.

As to the air pollution we are within approximately half of the EPA allowances after the garage is built. One of the pluses of the garage is that parking is underground and any pollutants go into the top deck of each garage level. That's a plus compared to the way it is now with the 2500 parking spaces where all the air pollution goes straight up into the air. EPA's allowances puts this into one half of the allowed air pollution category.

As far as the traffic is concerned, Wilbur Smith did extensive traffic studies over a year and those traffic studies show

that we will be able to actually move cars out of the new garage faster than the surface lots today. The reason is that there are 11 ingress and egress points in that garage. I will leave this before Council, with Council. Its a study, a set of studies have been done of the traffic and the air pollution.

One other thing, I might add is that the development of the rest of the site is only possible if the parking garage is built. This is infrastructure, we are creating a parking facility that is infrastructure with all private funding. We are creating a transportation system that is useable by the community that will be free to the community and will allow people to go into the garage and access the downtown in seventy-two seconds. Thank you very much.

The Chair:

Thank you. Next speaker please.

Ms. Horde:

My name is Lois Horde. I am a resident of the Hill District. I would like to ask if someone could speak on my behalf for me, with my time.

Mr. Peters:

Yes, again, Ronald Peters, Crawford Square. I appreciate Ms. Horde allowing me to return to the floor. I just wanted to share this information with Council that as a resident of Crawford Square, having attended several meetings of the Crawford Square Home Owners Association, I have heard more about the Maglev project in terms of the presentation that was made here than what has been made at any of the Home Owners

Association Meetings that we have attended. And this is one of the problems that I raised concerning this. That a number of decisions are being made about my community, our community, and the residents are inadequately informed of information that is being proposed and bantered about reportedly for the welfare and economic development of the community. I highly resent this kind of highhanded top down approach to supposedly seeing to my welfare in a democracy where I am supposed to be able as a citizen that kind of input. This information has not been shared with the Homeowners Association at all and yet we're being asked to be in favor of something that is literally going to be in our back yards. I for one object and I think Council should take serious ambridge to the citizens of this community being treated in this fashion. Thank you.

The Chair:

Is there anybody who is not on David O'Laughlin's payroll ready to speak in favor of this? Does anybody who is not on David O'Laughlin's payroll speaking in favor of this?

Mr. Portus:

My name is Richard Portus, I live at 1420 Centre Avenue, at the Corner of Centre and Crawford. It's a fact that I am a consultant to Western Pennsylvania Maglev. I am certainly recognized that but I also have a personal opinion about what the 15 months of my participation with Western Pennsylvania Maglev has entailed.

It is correct that Western Pennsylvania Maglev over the past 15

months have had numbers and a series of meetings with different bodies and individuals within the Hill District. There has been an attempt to form a partnership, a net partnership and that attempt has been to make sure that there was a recognition of the meaningfulness of the project. How it would inter-relate with the Hill District development. Those meetings have resulted in the fact that there has been significant design changes made because of input of Hill District residents on the project. The fact was that the original plan was to have a high rise garage, now the plan is as was demonstrated a few minutes ago is that it is totally low rise garage where in fact four of the five floors will be underground. It will be only a ceiling which will be landscaped and beautified that will not be an obstruction to the visual effects of the current homeowners at Crawford Roberts.

The issue about traffic has been totally addressed in the context that there will not be traffic relieved on Crawford but the traffic will be adjusted to relieve on the cross town byways.

The issue of air quality was discussed a second ago that has been addressed in major investment and a major study invested in by the Western Pennsylvania Maglev to find that there would not be any significant impact or health impact of the issue of air quality.

Property values have been addressed to which we're interested in a partnership to make sure that there are no questions about property value.

In conclusion, I will say that there are two opportunities here. One is the opportunity of significant employment opportunities. The second is the

opportunity of development. On that land today exists 2700 cars. When the cars are put underground in a garage the site becomes available for development. Which would be complementary to other development within the region and certainly in the Hill District.

I would equally say that today's vote is allowing the Western Pennsylvania Maglev to go forward and address all of the issues that may be lingering. Western Pennsylvania Maglev has had a series of meetings, we are very much interested and are continuing to try to address those issues that have been brought up today. I think we will be successful in meeting a personal or a partnership with the community that will make this a sensible project. Thank you very much.

Ms. Ford:

Theodore Ford, 440 Protector Street, Crawford Square. I have lived in the Hill District all my life, 72 years. We are proud of living in the Hill. I have raised seven children and 13 grandchildren in the Hill District. And what this Maglev is all about you need to take it somewhere else. We don't want it in our neighborhood.

Every community, every city, every county in this United States they speak about what they don't want, we really don't want this in our neighborhood and we're letting you know. If you want it, put it in your place. Put it over there where you live. Where do you live? Put it in your yard. Where do you live? Put it in your backyard. Where do you live? Put it in your backyard. We do not want it. It is not going to profit us anything. And you know darn well it don't profit. We have

not profited from anything lately in the Hill District.

You know everyone that is sitting there on the Council you know what to do and you know what to don't do for us. We are really proud citizens, we have the right to vote. Sometimes people have voted to put the wrong people sitting down here in this place. And voting is a way but we're in a minority, you don't listen to us, you want to shove things down our throats. I am letting you know we don't want the Maglev. You want it, put it some where else. Find another spot for it. We don't need it in this neighborhood. We have enough stuff in this neighborhood and with the Civic Arena traffic, the traffic from Magee not Magee, Mercy Hospital there are trucks and cars and vans moving all day long. You talk about pollution don't hurt, you want pollution, put that over where you live. We don't need it any more.

Ms. Lovitt:

Thank you, honorable Councilmen and Councilwoman. My name is Thelma Lovitt and I am a life long resident of the City of Pittsburgh. I presently live at 547 Crawford Street adjacent to the proposed site for the Maglev. Now I would like to and I am not in favor of the Maglev project. I want that to be on record and I have talked with many citizens in the Hill District who would be effected by the Maglev project.

I am going to ask you if you would permit Mr. Earl F. Horde to speak in my place right now. May I do that?

Mr. Horde:

There were a couple of issues that I

thought should be made clear. I am Chairman of the Hill District Development Corporation, Hill CDC, and there was reference to the fact of an air quality study and a traffic study that was done for Hill CDC. I have never seen the document. I have attended several meetings where the Maglev was discussed at no, none of those meetings have a majority of those in attendance been in support.

Economic development is extremely important to the Hill. Jobs and jobs in our neighborhood are crucial. Good transportation into our neighborhood is crucial. I don't think anybody here is speaking against those elements. What we are suggesting that is an untried, untested, unproven transportation system is an inappropriate way to create this kind of economic development. What we want are tried and proven things. We are adjacent to a dynamic downtown and we see extensive development being conducted down there. The Fifth Forbes corridor and all the money that is being poured into there. We think some of that needs to be focussed into our neighborhood and that we need to be a part of the planning and the decision making on how it should be spent and how it should be utilized.

We are not against moving forward with innovative methods for transportation, what we do not want is an untried, unproven system to be implemented in our backyard. Thank you.

The Chair:

Any more speakers?

Mr. Williams:

Just one Council. Again, my name is Irvin Williams and I don't want to take up the three minutes, but I am not on Maglev's payroll.

Mr. Udin:

You do not get a chance to speak twice.

The Chair:

You already spoke. If you want to say one minute --

Mr. Williams:

Just to make that point. I am an individual in favor of Maglev, but I am not on David O'Laughlin's payroll. Never have been and never plan to be.

Mr. Udin:

Anyone else on the payroll want to say they are not on the payroll?

Mr. Wright:

My name is Lloyd Wright, Secretary of the Fifth Ward, I am also a Committeeman in the 10th District.

I oppose the Maglev. I have constituents that reside in the Crawford development area and I would be remiss if I didn't stand up here and take a stand as to them disagreeing with this development.

In reading some of the articles in the media in the past from what I understand they have to produce over 50 percent of the parking in order for that \$147 million to be a reimbursed or how

they are taking care of. From what I understand they want to charge \$11 per car is that still correct? From what I understand, I have been working downtown for quite sometime, I work at Highmark Blue Cross/Blue Shield, and a lot of my constituents park in town, most of us park for nine or eight dollars in town and you want to charge \$11 at this particular site. I don't think it is going to fly. I think it is going to fail and I really oppose the idea that you would upset the residents after they are committed to move into a development area. I think that we need to reconsider this.

I am in favor of Councilman Gene at Jim Ferlo's community meeting where he said that we need to think a little smarter. If we have the HOV on the Northside to kind of encourage people to have two or three individuals in a car when they come in town, why would we want to encourage 5,000 cars into the city? I don't understand that. That is not thinking smarter. I think we are walking backwards here.

I hope you consider what you are doing and oppose this project. It is nice that you would want to listen to some of the community members and make some adjustments to your plans and make your drawings look pretty. But I am going to have to stand here with these citizens and especially the seniors who have put forward a lot of their time to make this city as what it is today. Hopefully we move in the right direction and not move backwards like we are talking right now.

I have heard a lot of the comments and some of them are a little upsetting. In a way I am kind of speaking for the young people too. Because they wonder why I

even come down here and try. I think we need to persevere and have some hope. I think that you need to listen to the citizens and these voters. I think you need to do what is right for them. They are doing what is right for you. They are putting their vote, what they think are intelligent people that they think they are putting into office. Now if you make a wrong decision on this and this thing blows up in your face, don't expect those voters to come out and support you in upcoming elections. You are looking for trouble. You are really looking for trouble. Thank you very much.

The Chair:

No more speakers? Now move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN moved to suspend Rule 8 on all bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. COHEN PRESENTED:

No. 1888 Resolution transferring the sum of Fifty Thousand (\$50,000.00) Dollars FROM Organization: 123000, Account: 511000, Fund: 1000, Sub: 010, Salaries, TO Organization: 123000, Account: 516000, Fund: 1000, Sub: 020, Premium Pay, Department of General Services---(PRESENTED BY MR. COHEN)

Which was read and referred to the Committee on Finance and Budget.

No. 1889 Resolution amending Resolution #309 effective May 27, 1999 providing for an agreement for an agreement (s), professional services agreement, and/or contract or contracts for the design, development and implementation of a computer based multimedia interactive information kiosk for placement in the lobby if the CCB to include the purchase of computer equipment, equipment, supplies, communication hardware software, training and maintenance, at a cost not to exceed Thirty Five Thousand Dollars (\$35,000) by increasing said amount by Eight Thousand Dollars (\$8,000) to Forty Three Thousand Dollars (\$43,000)

No. 1890 Resolution providing for an agreement, or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of various Public Buildings; at a cost not to exceed \$50,000.00.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. DIVEN PRESENTED:

No. 1891 Resolution authorizing the transfer of Two Hundred Thousand Dollars (\$200,000) from within the Bureau of Fire, Department of Public Safety. --- (PRESENTED BY MR. DIVEN)
Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1892 Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring \$50,000.00 from Building Maintenance Program-EC (Engineering & Construction) to Building Maintenance Program-GS (General Services).

Which was read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1893 Resolution authorizing the issuance of a warrant in favor of Karkadoulas Bronze Art in the amount of Seven Thousand Five Hundred (\$7,500.00) Dollars in payment for Monument Restoration work and providing for payment thereof.

Which was read and referred to the Committee on Finance and Budget.

No. 1894 Resolution further amending Resolution No. 357-99, effective June 10, 1999 entitled, "Providing for a Contract or Contracts, or the use of existing Contracts for renovation and rehabilitation of war memorials at various locations throughout the City of Pittsburgh, by decreasing the amount from \$69,000.00 to \$61,500.00.

Which was read and referred to the Committee on Public Works, Water &

Environmental Services.

MS. MCDONALD PRESENTED:

No. 1895 An Ordinance amending Ordinance No. 28 of 1998, entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%. ---
(SPONSORED BY MS. MCDONALD)

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI PRESENTED:

No. 1896 Resolution authorizing and directing the City Solicitor, Director of the Department of Planning (Zoning Section), and the Director of the Department of Public Safety (Bureau of Police and Bureau of Building Inspection) to establish a Landlord Responsibility Initiative. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Public Safety Services.

MR. O'CONNOR PRESENTED:

No. 1897 Communication from William H. Inks, Director of Finance and Administration, Allegheny County Sanitary Authority, submitting a list of names, positions and salaries of all employees of the Allegheny County Sanitary Authority, as of June 30, 1999, pursuant to Act of Assembly No. 339, approved July 10, 1957, P.L. 630.

Which was read, received and filed.

The Chair:

Motion to receive and file.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council? Hearing none, we will move to Committee Chair Reports, Mr. Hertzberg.

CHAIR REPORTS

Mr. Hertzberg:

Thank you, Mr. President. Under the committee on Public Works, I have a report that I have been furnished by the Director which I will add to at certain points.

Under the street resurfacing program, we have resurfaced 20.46 miles of an 83-mile program and expending two million, two hundred eighty thousand eight hundred ninety seven dollars. This says we are on course and within budget and expect to successfully complete the goals of the program. I am not sure that that really fits the math here. 20-miles out of 83 to me is about 25 percent of our mileage goal. I think we're about half way through the season. So perhaps the miles that we paved to date are more difficult to pave than the ones that are coming up.

The Chair:

Could you ask for a report of what is going to be done? Because I am concerned about last year when we had the problems of paving in the cold weather that was part of the issues especially on Walnut Street.

Mr. Hertzberg:

Yeah. Under the street sweeping program we have received all five new streets sweepers purchased for 1999 which will make our streets sweeping program more reliable and effective. However, because of the current draught emergency we have suspended all street flushing and are using a minimal amount of water for mechanical street sweeping. Water is necessary for machine sweeping to hold down the dust and lubricate the rubber components of the machine. We have also suspended washing vehicles and flushing sidewalks, driveways and garage floors.

Under the park reconstruction and maintenance, the current projects Fairywood basketball courts the expected completion is July 28th. The Fairywood Playground safety surface work has been completed. The Friendship School playground, the play equipment was installed on July 24, 1999 and the completion of the playground is expected by the end of August.

I would also note that Councilman Cohen was very active on Saturday in a community effort in a one-day installation of all the play equipment. I congratulate him and the entire Friendship Community on their new school playground.

Sheridan Park we have made the adjustments on the dedicated day worker and are interviewing candidates for the

resident caretaker position. I attended a meeting in Sheridan Park last week. I want to thank both Director Kraszewski and Director Ashley for coming to the Sheraton Park and meeting with representatives of the community. That is a park that I think has more volunteer activity and projects than any other park in the city. They are just asking for a little bit of support from the city. Hopefully with some of the changes that were agreed to last week, we will get the support we need.

Batting cages are going up at Mellon, Frick Park and Oakwood. Major fence projects are at Young Field, Bergwin Field and Kennard Field. New light towers are at Joe Natoli field and Faller Field.

And under the heading of a partnership with Allegheny County, the Department of Public Works and Allegheny County have teamed up in a six week program to clean up abandoned lots in the Homewood Brushton area. We are currently targeting 20 lots. The following resources have been provided. The Allegheny County Health Department is providing \$20 thousand for salaries of youth employees and supervision. The County's Intensive Supervisory Program also known as CYSP is providing youth employees to clean lots as a part of the community service. And the Department of Public Works is providing program coordination, hand tools and supplies and solid waste removal.

And I just hope the supervision is there. I know I just had a complaint this morning in my neighborhood. Perhaps its Allegheny County Partnership has appropriate supervision but I just had a complaint that some of the younger people

that we have working in my end of town were unsupervised and ended up cutting down some dogwood trees that probably shouldn't have been cut down. I can understand that if you are 16 years old and you don't have anyone to ask questions you are going to -- someone tells you to go cut what's down in this area you're going to cut everything. But everyone needs to be supervised and I hope that is happening on this project in Councilwoman McDonald's District.

On the area of vacancies, in the Administration Division of Public Works there are 24 positions, there are seven vacancies four of which are in the approval process. In operations full time there are 459 positions, currently 24 vacancies and 11 are in the approval process. And in the seasonal operations employees 62 positions, five vacancies and five are in the approval process. Environmental Services Division 238 positions. There are 20 vacancies and ten of those are in the approval process. That completes my report, Mr. President.

The Chair:

Thank you. I also if you want to comment briefly now or later about your involvement in the handicap accessibility march or walk Saturday? You did a nice job leading you and former Governor Thornberg, the Mayor and myself.

Mr. Hertzberg:

Thank you.

Ms. McDonald:

Yes I want to thank Councilman Hertzberg for bringing forward the

initiative that's going on in Homewood. We had a press conference the kids are at work I am glad that you brought up the fact that about supervision and Alan, I will check on it but we do have very able supervision in the person of Miss (inaudible). One day I am going to get her name -- I am going to say her name exactly how she says it because it sounds poetic, but it is (inaudible). She is an East End Youth Outreach Coordinator at the YMCA in Homewood. She said she would be checking to make sure no dogwoods or other types of shrubbery or vegetation that is of a premium quality would be cut down. But again I am just pleased that the Department of Public Works through and also the Department of Bureau of Building Inspection, Rich Bruce, LaMar Barnes, Judy Butch, Dr. Bruce Dixon with the County Health Department and Mr. Dave Farley of Operation Weed and Seed. We all came together on this project. So thank you for bringing that up.

The Chair:

I would appreciate an update on the paving. Again it looks to me like they are about 25 percent of the way through and unless they put on other crews or do some outside work, I don't know how they are going to get the 80 miles done.

Mr. Cohen:

Mr. President, because of the number of things on our agenda I will not be too long. But I do want to give a brief report on what is happening in General Services in the telecommunications area.

Why don't I start with telecommunications area and just say that negotiations over cable franchise renewal

with TCI and now AT&T have really been moving along at a very focused and very intense pace. In many ways I think the results of that negotiation will be as important as anything else we do in Pittsburgh. Maybe even as important as some of the construction that is going on under Plan B. Because what it will help result in is an improvement of telecommunications for the entire city. And obviously for us to be able to attract residents and to attract companies to Pittsburgh, we need to make sure that we are a smart city and by a smart city meaning that we are connected to state of the art telecommunications.

Our negotiating team has consisted of Jacquelyn Morrow, who is the Solicitor and who is chairing the negotiating committee; Guy Costa the Director of General Services; John Staudacher, of course the Director of Information Services; Rodney Akers who has done a tremendous amount of staff work on it for the group and through the Law Department and myself. As I said the negotiations have been quite intense and very much dedicated to the future cable related needs of the City of Pittsburgh.

Progress has been made. A great deal of progress has been made on the major key issues and that includes upgrading the system. AT&T is going to invest upwards of \$30 million to upgrade the cable system. Improving customer service because there has been as we all know much frustration with the customer service of TCI over the years.

The third area that is perhaps the greatest amount of discussion has occurred has been in the area of community access. I view that as a critically important part of

this negotiation and that is to connect the community to the greatest extent possible to communications technology. We had a meeting with TCI and AT&T officials a week ago last Friday. There were actually 14 negotiators in the room. AT&T is expected to respond soon to a community access proposal that we put forth. And rather than getting into the details of course because it is an ongoing negotiation, let me just say that this proposal, which many of us refer to as the glass river proposal, because it will provide fiber optic lines for many of the community facilities in the city. It will help connect up the city's facilities including not only all of our buildings, including the police stations, fire stations, etc., but also to connect up our rec centers and our senior centers. There is a -- every once in awhile I hear someone say that our seniors are not going to be able to surf the internet and not be able to have the computer skills that are younger people have and in fact that's not true. For my own parents to many other seniors that I have talked to across the City of Pittsburgh they are many of them are very computer literate. Many of them who aren't want to be and frankly would like to communicate with their children and grandchildren. Some of whom live outside the City of Pittsburgh and do that through email.

So this concept would connect up not only the city facilities including our rec centers and our senior centers, but also the schools. It would provide cable motif sites to neighborhood based community groups all over the City of Pittsburgh. As I said we are waiting to hear back from TCI on this proposal and hopefully we will be able to in the end have a community access portion of our cable system that will really be a model for the nation. So I will

certainly keep you informed about that.

As far as General Services goes, just a couple of items. One is that we're cutting back severely on water fountain usage because of the draught emergency that the city is experiencing. And obviously the water fountains are not as important as many other water usages so that's being cut back severely. The department just purchased eight new bi-fuel vehicles and by that meaning that they can use natural gas for operation and it helps for cleaner air. Eight new vehicles have been put in operation.

Finally just a couple of points about this building. I do want very much to congratulate Guy Costa and the General Services Department for installing the new interiors of the elevators of this building. I really think it has given a nice new look to the lobby area and the elevators of course in this building. They did a great job. They are cleaning the lobby of the City County Building including the William Pitt statue in the lobby. We're about to install a kiosk in the lobby in the next couple of weeks. That was really initiated by Councilman Ferlo. I want to thank him for that.

So a lot is going on both round the city and in this building and in General Services. If anyone has any questions or suggestions, please feel free to contact me. Thank you very much.

The Chair:

Thank you and again I want to congratulate you especially on the elevators and the outside of the building really looks fantastic.

Moving now to reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1898:

Report of the Committee on Finance and Budget for July 14, 1999, transmitting two ordinances and sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1815:

Amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 267, "Exemptions For Industrial And Commercial Improvements," by expanding the exemption authorized by Chapter 267 to include the conversion of industrial, commercial or other business properties to commercial residential use.

Which was read.

Also,

Bill No. 1818:

Resolution authorizing the transfer of One Hundred Thousand Dollars (\$100,000) from the Salaries Acct. to the Equipment Acct., both within the Bureau of Police, Department of Public Safety. The funds will be used to purchase road spikes used in traffic pursuits to disable fleeing vehicles. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 1827:

An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by adding Section 161.30 --Requiring Contractors and Employers of employees hired to staff hospitality operations to be signatory to collective bargaining agreements where the City of Pittsburgh has a financial or proprietary interest. ---**(SPONSORED BY MR RICCIARDI AND MR. DIVEN)**

Which was read.

Also,

Bill No. 1828:

Resolution providing for the issuance of a \$5,609.15 warrant in favor of Pittsburgh Flatroll Company, c/o David R. Czarnecki, 31st Street & AVRR, Pittsburgh, PA 15201, in settlement of a claim in which claimant's fence was damaged due to the way vehicles are parked at the City Tow Pound.

Which was read.

Also,

Bill No. 1829:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Stephen G. Murray,
PROPERTY LOCATED AT 633 Duff
Street, 5th Ward, Council District 6. Two
sty. frm. hse. situated on lot containing
1,940 sq. ft., Purchase Price \$1,500.
Intended Use: Rental Unit.

(B) Nicholas R. & Rachael
Tomich, PROPERTY LOCATED AT 312
& 314 Whitridge Street, 5th Ward, Council
District 6. Two sty. Frame house, frame
garage situated on a lot containing 1,572
sq.ft. together with adjoining vacant lot
containing 890 sq. ft. Purchase Price
\$4,3000. Intended Use: Rental Use.

(C) Portia Colbert,
PROPERTY LOCATED AT 4813 Rosetta
Steet, 10th Ward, Council District 7. Two
sty. brk. hse. Situated on a lot containing
1,360 sq. ft. Purchase Price \$2,000.
Intended Use: Personal residence.

(D) Charise M. Samuels,
PROPERTY LOCATED AT 6947 Kedron
Avenue, 12th Ward, Council District 9. 2
sty. insel brk. hse. Situated on a lot
containing 1,860 sq. ft. Purchase Price
\$4,520. Intended Use: Personal residence.

(E) Jamie Lynn Williams,
PROPERTY LOCATED AT 2108
Mazette Place, 28th Ward, Council District
2. 1 sty frame house situated on a lot
containing 4,000 sq. ft. Purchase Price
\$2,000. Intended Use: Personal residence.

Which was read.

Also,

Bill No. 1830:

Resolution providing for the
conveyance by the City of Pittsburgh of

certain property, under Act No. 171 of
1984, entitled, "Second Class City
Treasurer Sale and Collection Act",
effective December 11, 1984, having been
placed for sale to adjoining property
owners in conjunction with the City of
Pittsburgh/City Source Associates
Sideyard Program.

(A) Stephen L. Kalinowski,
PROPERTY LOCATED AT 2932
Ridgeway Street, 6th Ward, Council
District 7. Vacant lot containing 2,200 sq.
ft. Purchase Price \$100. Intended Use
additional yard space.

(B) Stephen L. Kalinowski,
PROPERTY LOCATED AT 2936
Ridgeway Street, 6th Ward, Council
District 7. Vacant lot containing 2,200 sq.
ft. Purchase Price \$100. Intended Use
additional yard space.

(C) Michael W. & Susan
Zimecki, PROPERTY LOCATED AT
5322 Forbes Avenue, 14th Ward, Council
District 8. Vacant lot containing 1,448.
Sq. ft. Purchase Price \$100. Intended
Use: Additional yard space.

(D) Michael R. and Michelle C.
Kosko, PROPERTY LOCATED AT 1008
Arlington Avenue, 18th Ward, Council
District 3. Vacant lot containing 1,973 sq.
ft. Purchase Price \$100. Intended Use:
additional yard space.

(E) James J. Wehner, Jr.,
PROPERTY LOCATED AT 328 Knox
Avenue, 18th Ward, Council District 3.
Vacant lot containing 2,500 sq. ft.
Purchase Price: \$100. Intended Use:
additional yard space.

(F) Benjamin Betts, PROPERTY LOCATED AT 2438 Glen Mawr Street, 20th Ward, Council District 2. Vacant lot containing 4,120 sq. ft. Purchase Price \$100. Intended Use: additional yard space.

(G) Shirley Foy, PROPERTY LOCATED AT 18 Round Top Street, 28th Ward, Council District 2. Vacant lot containing 2,500 sq. ft. Purchase Price \$100. Intended Use: additional yard space.

(H) Regis J. and Lois A. Obringer, PROPERTY LOCATED AT 790 Baldwin Road, 31st Ward, Council District 5. Vacant lot containing 3,335 sq. ft. Purchase Price \$100. Intended Use: additional yard space.

Which was read.

Also,

Bill No. 1831:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Urvin E. & Janicee A.Y. Williams, PROPERTY LOCATED AT 2014-2016-2018 Centre Avenue and 423 Grove Street, 5th Ward, Council District 6. Four vacant lots containing a combined area of 7,470 sq. ft. Purchase Price: \$5,000. Intended Use: Commercial Development (Retail & Office).

(B) Holy Cross Neighborhood Development, Inc., PROPERTY LOCATED AT 7589-7593 & 7597 Kelly Street, 13th Ward, Council District 9. Four vacant lots containing a combined area of 14,072 sq. ft. Purchase Price: \$2,500. Intended Use: build new houses.

(C) Lighthouse Church of Pittsburgh, PROPERTY LOCATED AT 810 & 810-818 Fisher Street, 16th Ward, Council District 3. Three vacant lots containing combined area of 116,549 sq. ft. Purchase Price \$1,800. Intended Use: construction of new church.

(D) Leonard E. & Jennie K. Brown, PROPERTY LOCATED AT 518 Michigan Street, 18th Ward, Council District 3. Vacant lot containing 2,500 sq. ft. Purchase Price: \$500. Intended Use: combine with other lots and build personal residence.

(E) Karen Hill, PROPERTY LOCATED AT 302 Warrington Avenue, 18th Ward, Council District 3. Vacant lot containing 2,200 sq. ft. Purchase Price: \$700. Intended Use: additional yard space.

(F) Grandview Commons, LP, PROPERTY LOCATED AT 109 Shaler Street, 19th Ward, Council District 2. Vacant lot containing 1,200 sq. ft. Purchase Price: \$500. Intended Use: expansion of property.

(G) Donald A. Smith, PROPERTY LOCATED AT 1005 N. Franklin Street, 21st Ward, Council District 6. 3 sty. brk. hse. Situated on lot containing 1,152 sq. ft. Purchase Price \$3,500. Intended Use: Rehab and re-sell.

Which was read.

Also,

Bill No. 1870:

Directing the Mayor's Office of Business and Employment Opportunities to operate a program of technical assistance and support to construction businesses owned by minorities or women who are residents of the City of Pittsburgh. Such support will include, but not be limited to, estimating, bid preparation, blueprint reading, bid and performance bond acquisition and any other business management support needs identified by minority and women owned construction contracts. **(SPONSORED BY MR. UDIN)**

Which was read.

Also,

Bill No. 1871:

Requiring that all contractors and subcontractors of major constructions projects, funded in whole or in part by city funds or value, be required to submit to the City of Pittsburgh, monthly employee data sheets which identify name, address, municipality, zip code, race, gender, trade and skill level, for all construction employees. **(SPONSORED BY MR. UDIN)**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Yes, thank you very much. First, I would like to if there is no objection, I would like to ask Mr. Cohen if he was saying anything on 1815? The reason for that if I could just take a moment I just want to sincerely commend Mr. Cohen for Bill 1815. Over the years there has been so much discussion and talk surrounding affordable housing and especially innovating type of housing and attractive housing such as loft development. Both that would attract people to the City of Pittsburgh to live in this type of housing and others to stay. And unfortunately there has always been a hurdle. A hurdle to get over and we haven't seen much of that development. One reason obviously is because at times there just isn't a profit margin. And I just want to say what Mr. Cohen has brought forward and I am sure once again he will articulate what it does in terms of exemption and we are willing to tax bite at a certain for level for X numbers of years is really going to do a lot. Matter of fact I have already spoken to a developer that is going to do some work in the Southside. Its going to be 1300 square feet, between 120,000 and 130,000, it is going to be anywhere from 20 to 30 units. He was considering it and he was thinking about actually not going ahead with the development. But because of this legislation he's decided to go ahead. So that's going to bring extra tax dollars in the future. That is going to bring residents to the city, retain residents and I just can't say enough about Bill 1815. I think the Pittsburgh business times -- Mr. Cohen also had a nice write up so I want to congratulate you on this bill.

Mr. Cohen:

Thank you, Mr. President. I want to thank Mr. Ricciardi for his kind remarks. I want to thank him for his co-sponsorship and also Councilman Sala Udin for his co-sponsorship of this bill and the bill creating a task force which is a very important part of this. That is to make sure that we continue the process of trying to get loft housing in downtown and all the neighborhoods of the city and to make sure that the amenities follow any loft housing which is developed.

I also want to just thank Council as a whole for its support of this bill. As we talked about last Wednesday there is really a hole between two tax abatements that currently exist. One is for new residential construction and the other is for commercial renovation of commercial or industrial buildings. What there isn't at least until hopefully today, what there isn't right now is a tax abatement for adaptive reuse of commercial or residential buildings, commercial or industrial buildings, into residential use. That's often referred to as loft housing. We have some pioneers out there just a few small developers who have been able to complete some loft housing units. They are incredible and if you haven't seen some of them please do whether its the Bedford School in Councilman Ricciardi's District which is right off of Bingham Street, right off the Tenth Street Bridge and Bingham is a fantastic loft housing, there is First Side downtown, there is the 600 Penn Avenue. There are a few of them out there but I think the demand is far greater than the current supply. What this bill will do is allow for a 5 year 100 percent tax exemption on the improvement to the property, taking an older industrial or commercial building and converting it to

residential use.

The time period of course is much less than it would be for a TIF so we think that we will be able to get tax revenue after that five years is up certainly and even during that five year period hopefully a number of the people who are buying these lofts will be from outside the City of Pittsburgh and be able to get of course wage tax revenue. So I think its a win, win, because not only does it convert these properties to a productive use many of which frankly are vacant right now, but also it helps preserve some of our industrial past. So thanks for very much to Council for its support.

Mr. Hertzberg:

Same bill. Thank you. On Bill 1815, I would like to have my comments brought forward and commend Councilman Cohen for his hard work. I know it's been a long effort and he's had to meet with quite a few individuals. I just want to remind everyone that unfortunately this isn't perfect legislation. It doesn't include owner occupied facilities. I think that's been a lot of what we have seen developed as loft units have been for sale for owner occupied units. Unfortunately, the state legislation that allows us to give tax abatements for these does not permit that to happen. So we need to try to get the state to expand the act by which we are allowed to have these abatements. So I think we would all like to see included in the abatements owner occupied loft units as well.

(See Addendum for Comments on Bill 1815)

Mr. Cohen:

Thank you. Councilman Hertzberg makes a very good point and I would hope that that would be one of the issues that this task force would undertake. That is to help lobby the state legislature to make that change in the LERTA legislation, which stands for Local Economic Assistance Redevelopment Act. Hopefully we can get the state legislature to amend LERTA to allow for just what Councilman Hertzberg was talking about which is owner occupied lofts as well as rental lofts.

Mr. Ricciardi:

Thank you. On a different bill. I would like to make an amendment to Bill 1827, Mr. O'Connor. The amendment is sponsored by Council members Hertzberg, Diven and myself under definition adding after the word enterprise, comma or any payments in connection with financing provided or through the city.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

On the bill itself, Mr. O'Connor. Thank you. On 1827 I believe that Mr. Diven and myself hopefully effectively made the argument why this bill should be passed today. However, I just want to clear up one possible misunderstanding through the media and through the halls of this City County Building. That is that the legislation does not mandate or in any way enforce a collective bargaining agreement upon an employer.

If you read the legislation closely it says collective bargaining agreement or other contract such as a neutrality contract. Please keep in mind that only the employees of a hospitality operation can vote to be part or represented by a union. Matter of fact, there could be an instance where the employees vote no. So of course there would not be a collective bargaining agreement. Please keep in mind that this bill protects the interest of the taxpayers when it comes to us providing any type of subsidy. This bill is not one of regulation. We are not touching upon the regulatory aspect of the hospitality operations. But instead protecting our financial interest in any type of hospitality operation throughout the City of Pittsburgh.

Now with that said, however, I need to be very fair to all of my colleagues and report to you that I did meet with Mayor Tom Murphy. And Mr. Murphy does agree and does support neutrality agreements in the City of Pittsburgh. However, he does have some concerns about other parts of the legislation. I mentioned to the Mayor and others that I believe that this body would pass this. He will have 10 days in order to review the legislation and obviously at that point he will either sign or veto the legislation. But I think that we had a very productive meeting where I was able to tell or explain to him the difference of what I just did today. But I want to be fair to you, all of you and let you know that he does have some concerns. But I think we should move ahead with this and let him further study the legislation for those ten days, Mr. O'Connor.

Mr. Diven:

I would also like to commend Councilman Ricciardi for his hard work on this piece of legislation. I don't want to belabor the point but I would like to say that this piece of legislation will provide a level playing field and will give the opportunity for our workers to decide their own fate. It will provide a guarantee for entities like hotels and restaurants that the city had a direct hand in providing financing or providing a vehicle for the actual construction of those facilities. It will give those employees the ability to determine their own fate and thereby will make sure that the investment that the city makes in all these projects can get the most return for its residents.

I wanted to commend Councilman Ricciardi. I hope Council can keep that in mind when we vote on this. I think it is a definite win, win for the city and a win, win for the employees. I think if we're going to invest the money we need to start providing some kind of legislative tools that will guarantee the best return on our investments.

Mr. Hertzberg:

Thank you. The amendment -- first I would like my comments from last week brought forward.

I asked for this amendment because I didn't think the language was specific enough on what was being covered. With this amendment it's clear that a situation like we have in the pipeline for the Station Square complex where we are going to provide some taxing increment financing and the Sheraton Hotel at Station Square is going to be expanded by 100 rooms, it's clear that now that is covered by this

legislation. And I don't think it was so clear before. And that's one of my primary concerns here is that when we are providing financing through something like a tax increment financing that a hospitality operation is benefiting from that would provide good union jobs. I think we have addressed that here. I am proud to be a supporter of this legislation.

(See Addendum for comments on Bill 1827)

Mr. Udin:

Yes I would like to also join in in complimenting Councilman Ricciardi. I am pleased to be able to support this legislation of his and as I have supported previous legislation by Councilman Ricciardi. For example when the Urban Redevelopment Authority attempted to create a historical district that he knew was bad for his district, I was supportive of his representation of Hill District. I remember a time before that when some developers and even Southside's CDC Group were attempting to create some housing that the particular design of which Mr. Ricciardi did not believe was productive for his neighborhood and we supported Mr. Ricciardi then. And we are pleased to support Mr. Ricciardi now in this development project because we like to support Mr. Ricciardi when he represents his neighborhood.

I would like to be on another bill if we're done with that one.

The Chair:

Any other?

Mr. Udin:

On Bill 1870 I would like to request to suspend the rules requiring written amendments just to change the wording as I promised I would. On the second line it reads the business and employment opportunities to operate, change that to contract for program.

Ms. McDonald:

Discussion. First of all we need a formal motion to waive the rules of Council -- so moved.

MR. UDIN seconded the motion.
Which motion prevailed.

Ms. McDonald:

Discussion on the motion to amend. Again, I am glad that Councilman Udin had brought that up because I cannot support operate. We don't need to operate a program but also can I add another friendly amendment that program or programs maybe put in parenthesis and there because I am not sure it should be one or more.

MR. UDIN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you.

The Chair:

Are you saying in the first line Mayor's Office and business employment opportunities?

Mr. Udin:

Second line down. Change operate to contract for a program or programs.

The Chair:

Any other discussion?

Mr. Ricciardi:

Just on Bill 1870, obviously I support the bill and maybe for further discussion or deliberation we can consider. I happened to do some research and ordered some information from the state. I enjoy or I am very interested on how they talk about helping disadvantaged businesses. Maybe in something like this we could expand this, Mr. Udin, and what they do also is not only do they reach out to the MBE and WBE's, that are making four million dollars gross but any other small business that decides to open up within enterprise zone. So for example we have a small business might be an MBE but it might not be but decides to come into some of our neighborhoods that could benefit from development or presence in that particular neighborhood, they could also take advantage of some of this technical assistance and support. So it is something we can look into the future. For example, I think if I had a business that was owned by African American or not but was willing to come to some of my Hill Top communities, I would welcome them and I would like them to take part of this. I will forward that information to Mr. Udin and others but it is very beneficial information that I received from the state over the weekend.

Mr. Udin:

I would very much look forward to

working with Mr. Ricciardi on that. It's just kind of reminded me that if you go back to the original intention of the TIF legislation, the TIF legislation originally was intended to go into blighted neighborhoods and attract developers into blighted neighborhoods to promote economic development within that neighborhood. We have gotten quite a distance away from that but that was the original intent. I certainly would support working with you on that.

The Chair:

No further discussion?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1899:

Report of the committee on Planning,

Zoning and Land Use for July 21, 1999, transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1257:

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, 908 by revising the Public Realm District Regulations. (HEARING HELD MAY 27, 1999).

Which was read.

Also,
Bill No. 1826:

Resolution authorizing the Mayor, the Director of City Planning, Director of Parks and Recreation and the Director of Finance to grant a license or licenses to interested and qualified individuals and/or entities to enter upon the use various docking or landing facilities along the Allegheny, Monongahela and Ohio Rivers, for the limited purpose of access to, upon and from said land, as docking locations for water taxi services to be utilized for the benefit of the general public on a commercial basis over and through the rivers within the City.

Which was read.

Also,

Bill No. 1869:

Creating the "Downtown Residential and Citywide Loft Development Task Force." The purpose

of this Task Force shall be to expand opportunities for Downtown residential living and promote development of the adaptive reuse of commercial properties into residential housing throughout the City. (SPONSORED BY MR. COHEN AND MR. UDIN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

On Bill Number 1257 this is an amendment to our zoning ordinance for public realm district regulations and there is only one and that's the Grandview public realm district.

You recall a couple of years ago we enacted the ordinance for public realm districts and the Grandview public realm was part of our previous zoning ordinance. Then an amendment package was brought forward a couple of months ago that had gone through the Planning Commission and a public hearing and in this area on the Grandview public realm. All that was supposed to happen was that it was supposed to make the old Grandview Avenue zoning district fit in with the rest of the old zoning ordinance. What I discovered when I reviewed this amendment was that it did all kinds of unintended things and what we wanted it to do did not even happen.

At any rate it is now been scrutinized very carefully by the Planning Commission and also by the consultant

that helped rewrite the new zoning ordinance. There has been an amendment that's been circulated and actually the result of this close scrutiny has produced an ordinance that is about five pages shorter than the old. So we're going to save a few trees in the process, and you are free to review it. There are a few places where you will see bold print but there really is not any substantive change being made here. We are just restoring the Grandview public realm district to what we passed a couple of years ago and now making it fit into the rest of the new zoning ordinance; the new zoning ordinance that went into effect in February.

So I want to make a motion to amend and then I am actually going to have to amend the amendment after that. But motion to amend by substitution with what is in front of you.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Finally, in going through this final amendment, I found a provision under the Grandview Sub District B where there is a sentence that ends with the words in addition to the following colon which obviously shouldn't be there. So there is one final typo that I am amending by deleting that and just ending with a period before that and deleting that clause in addition to the following which doesn't have anything following. Make a motion to amend the amendment.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Is that it? The bills are now ready for final action. All those in favor of the passage of the bills will vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1900:

Report of the committee on Housing, Economic Development and Promotion for July 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1823:

Resolution approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment

Authority of Pittsburgh and Western Pennsylvania Maglev Development Corp., for the lease of Part of Parcel 2 (Block 2C Part of Lot 300) in the Third Ward of the City of Pittsburgh, Council District No. 6, Bedford Avenue at Crawford Street (parking garage).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

First of all, Mr. President, I want to encourage members of Council to heed the concerns raised by the residents adjacent to this project with this proposed bill would be placed. I believe that Council has been to some extent victimized by misinformation presented by the developers about this project relative to the funding and the financing of this project. I believe we have been deceived and misinformed relative to the technology readiness of a project like this to go into a neighborhood. A project that has failed where it has run before and has not been re-tested to demonstrate that it is ready for operation and implementation by the public. Yet they continue to go forward with their plans to build this garage.

We have been deceived into thinking that this is a technology transportation issue when in fact it is a money making scheme. A money making scam on the part of David O'Laughlin and his cronies with Western Pennsylvania Maglev to build garages, parking garages, a series of parking garages around the city.

They are using public funds to support their private plan for parking garages. This is not a Maglev issue. This is a not a transportation issue. It is a money making scheme of parking garages. What Mr. O'Laughlin frequently does not tell us is that when you look at who is it that stands to benefit from these parking garages? It's Mr. O'Laughlin. Who is the head, the CEO, of all the parking garages that would be built? And the first parking garage would be built at the so-called Civic Arena site. What makes this whole system of parking garages a city wide plan is the fact that other neighborhoods in other Council Districts perhaps Oakland, perhaps Squirrel Hill, perhaps in Bloomfield, many will be the beneficiaries of these overhead trains running around our city with these big columns. If you have ever been to Brooklyn or other parts of New York and seen the overhead subways and what they look like and how they divide and destroy commercial vitality in a community, it's a part of a larger scheme. They are trying to use public dollars to justify profiteering from their parking garage scheme and those public dollars are being used under the guise of new technology and transit. It is not mass transit. It is a method of transporting their customers of their parking garage.

This is a scam and it's a scheme. I don't believe that it would be imposed on any community in this city other than the one that it is being proposed for who is able to bring forward residents of that neighborhood to protest in the way that the residents of this neighborhood have proposed against this.

The only one speaking for it has been some of his cronies on his payroll or

people who stand to benefit, who he has promised contracts to. So they come forward and are willing to jeopardize the well being of the Hill District neighborhood in order for them to personally benefit for a few nickels, a few silver coins in their pouches. We will deal with that in the community.

At a minimum we need to recommit this bill. I am prepared to provide to Council more specifics, more honest, more reliable information about what this so-called funding opportunity is. I believe we have been misinformed about what the opportunities are. I believe the many members of Council honestly believe that Pittsburgh would be able to get \$750 million if we supported this thing. That's not the case. I would like the opportunity to prove it.

I would hope that we would either be willing to vote this thing down today and have a public hearing to prove that this is not a viable process or to recommit it so that we can have a fuller discussion. You cannot shove this down the throats of the residents who oppose it. You just cannot morally do it.

Ms. McDonald:

Thank you. After hearing the comments from Councilman Udin last week as well as speaking directly with residents as well as business people, African American and others who have a stake in that section of the Hill, which abuts downtown in fact some people call it downtown, some people call it the Hill, I don't know. I just think that there are stakeholders from the Hill and downtown here at the table. What I said last week and received a phone call questioning

whether I was questioning Councilman Udin's representation of the people on the Hill. I was not questioning Councilman Udin's representation of the Hill. What I was merely suggesting is that I am hearing -- I am getting mixed signals. I am hearing two different stories. I am seeing division. I am not hearing any kind of consensus going on. I can only speak to that from the phone calls that I have received prior to last week meeting. This is why I had said last week I am not prepared.

Last week I was not truly prepared because I wasn't sure where the community was with this. To go down memory lane we have not had any other dialogue concerning this legislation. It's being rammed down our throats, forced. I don't know what the hurry is. I don't know what the hurry is. We had a post agenda almost two years ago that is it. Last week it was the first time it came to Council as a legislative action of any kind whether it be through public hearing or other. It was the first time. And before final vote to come today I think is -- again I think many of us have not been fully prepared. Seeing all of the -- that the community is not prepared for this. They don't like it as its present form and then we hear from a speaker that he was uninformed as to the present plan. The community is not even aware of the present plan. Now the community is not aware of the present plan. Personally I don't think Council is prepared to vote it up, maybe to hold it, vote it down, but definitely not to vote it up. We're not prepared at this time.

I would hope that the community would have more time to decide yeah or nay. I am prepared to go along with what the community wants me to do. Because

to be very honest with you many of those people they are my supporters too. They support me. I do what people that support me want me to do. I try to make a good sound decision. Based upon what I hear from all factions. That is what I trying to do even now. Is to make the right decision that's going to benefit all. I tried to go for win, wins. This is a tough one. Personally I think could there be a win, win? I don't know. Maybe there could be. I don't know this. But I would be more than happy to go along with Councilman Udin for a recommitment and let it go for about a month. Let the Maglev people or whomever want to do this to work with the community, to work with Councilman Udin who represents the Hill so that there is consensus. I think we will be all much more comfortable if there was a consensus at this point of time of a final vote.

Final vote I don't know if we're prepared for right now but I will say this out of respect for Councilman Udin, out of respect for the people on the Hill, I would choose to vote no if I am forced to vote. What I prefer, what I prefer is that there be more time so that personally I am more fully informed as to what the community wants so that the community knows what the current plans are. It's been two years. It's been too long. I don't know what we are voting on right now and I am sure they don't either.

Mr. Udin:

Motion to recommit for a public hearing.

MS. MCDONALD seconded the motion.

Mr. Ricciardi:

Discussion.

Mr. Hertzberg:

Thank you. I was prepared to vote no but I will defer to Councilman Udin to recommit it. I voted no at the URA Board Meeting in which this lease was approved. I voted no last Wednesday and I am told by some people how can you do that? How can you vote no to what appears to be a new technology and a modern new concept in transportation? I am not -- that is not what I am voting no to. I am all in favor of the concept of Maglev moving forward. I think if it can work, it may revolutionize mass transportation.

The problem is I don't know if it can work or not. I can guarantee you that if you look in any scientific literature or any where you look through every reliable publication that there is, you will not find an article which says low speed Maglev is a reliable form of mass transportation. It is unknown right now. It may be and then it may not be. That's why we're told that is in the experimental stage. Being in that stage, I don't see how we can take a site like is being proposed here on the edge of a new residential community, right next to the Pittsburgh Civic Arena and then going down to Grant Street to most major thoroughfare in the City of Pittsburgh and take some experiment and stick it there. I mean that's not where we do these kinds of experiments. Let's do the experiment where the experiment should be done. In an appropriate place to do that in some form of test facility and let's take this thing over what you try to do when you test a mass transportation product. You are going to go have millions and millions of rides through this thing. We need to see that; we need to see if it is dependable. I

don't want to see if it is dependable on the site that is being proposed here.

I also in my considerations on topics like this I consider residents comments. I also consider well are these residents looking at the total worst case scenario? Are they really being reasonable in what they're saying? In this situation I have got to say yes. They're being confronted with not a medium sized parking garage, not a small size parking garage but probably the largest one that has ever been proposed in the City of Pittsburgh, 5,000 car parking garage. That's humongus.

For all those reasons I am prepared to vote no, I am prepared to recommit. I am supportive of Councilman Udin on this.

Mr. Diven:

I understand Council's opposition to this. One of the reasons why I was prepared to vote yes today, and I would be against recommitting, I believe and at least in understanding of the problem, in order for them to actually go out and perform the kind of test and put the thing together and actually be able to prove whether or not this technology is going to be something that works, they have to be able to have this piece of the equation in their plan to go out and get the financing to do it.

I think that as a member of Council, the City of Pittsburgh does not give up any future ability to dictate whether or not we actually go through with this project. I understand this to be a very preliminary vote just so that they can get their financing in order. So they are in a position to prove that the technology

works. I believe that when we start to talk about the construction of the garage, they are going to have to come back for zoning approval. I think the air rights over the streets they intend to put the track down on, they all have to be vacated through an action of Council. There are a number of things that still need to come in front of the City of Pittsburgh in order to get the approval. I think part of the lease agreement states that they only have a certain window of opportunity to do that and if they don't then this is rescinded.

My support for this is that I believe you know here we are at the end of the 20th Century and we are building bus ways. We always complain about that and here is an opportunity to take a technology that yes it is unproven but it gives us the opportunity to really start a new industry and a new technology in the City of Pittsburgh. I think we are not giving away -- this isn't a final action and we are not giving away and making sure that Maglev has an ironclad agreement to construct this. All we are doing is giving them the ability to advance to the next step and actually go out and put the financing in place. Then it is contingent upon them to actually provide a working model that will do exactly what they say and provide low speed Maglev transit. I think in order for them to go out and get the financing to do that, they need to have this as part of their financing plan. So with that, that is one of the reasons why I was going to support this legislation today.

The Chair:

Discussion on the recommittal.

Mr. Udin:

Point of information. See I believe Councilman Diven and I believe that Councilman Diven is acting in good faith. That is just the kind of misinformation that this crew has been disseminating around this whole proposal. I called the Department of Transportation and asked whether or not a parking lease was necessary or requested in order for the project to put its funding in place. I was told absolutely not. First of all they don't understand why a lease is being considered for the actual implementation of this Maglev when it has not been tested. It would have to be tested first. This is not for a test track. We are not putting in place leasing space for them to build a track out in the county somewhere or out in some distant part of the city where they would test the vehicle to see it operate in all kinds of implement weather. To see what the alternatives would be, this is not for a test track. This is to actually put people on right there at Civic Arena and take them down to the steel building. It has to be tested. It has failed where it has been attempted and it has not been rested yet. But they would have us to believe that we are helping to promote the technological advancement of this idea by approving this lease.

It is putting the cart before the horse. It is a public relations ploy so that they can convince people that the city is behind this. They want to convince Shuster, they wanted to convince the Department of Transportation. They want to convince the White House and the people of this city is behind this project and therefore, they are misrepresenting the truth. That is why we have to be able to get this information out. That is just absolutely untrue.

By the way, Mr. President, I would

be interested in knowing what the results of your findings were relative to the TIF?

The Chair:

Actually, as you know I am a big proponent of the Maglev system with due respect to all the concerns, you have addressed. My concern of last week was the financial picture.

The city gave a parking tax abatement you may say of two million a year for 20 years. In the preliminary finance picture I saw last week it looked like it extended that. I have had extensive meetings with the Maglev people and their financial backers they have backed off that. They have guaranteed me that within six years we can get all of our parking tax back. So they have relieved my questions because again the county is not putting -- I have it in writing -- and any votes of mine whether it be this one or any future we would not, I would not support one nickel past what was given the first time out from the city. The city committed, the Mayor's Office committed \$40 million over 20 years. I think that is all I would commit to this or any other Maglev project.

In fact I thought it was at the time very, very gracious of them. It came out of the blue because at the time I thought they were against it yet they are giving money to people. So any votes I have are contingent on that is it. If it is any more than that I can't support it. Although I am a big supporter because I think with all due respect to the issues that came up today, transportation I think is a major problem in this city. The Maglev system would go to the high tech center Oakland, Hazelwood, Lower Greenfield, I believe we need transportation and this is the only thing on

the table. It is very positive but also we want to look at the money is there. If we go back at least again for what we have been told by the federal government up to \$750 million if we don't at least work together and pursue that money, we will never have the debate whether the parking garage goes here or there or elsewhere. So it is a very important.

I think we go out and get the money. 25 years ago this city sat back and this region and let sky bus go by the way side. Almost every city in America has some kind of mass transit. Mr. Diven said we are still building busways. I mean these are unheard of. Whether you go to Portland, Seattle, St. Louis. St. Louis has a sky bus system from the airport to its center city and now every neighborhood is fighting to be the next area to get it. Just think if we had something. Again, I am not saying this is 100% yet, but if we had something in place like this five or ten years ago the jobs when we did build that airport we had no transportation for people in this city. This would be hooked up between Oakland and downtown.

Again, the short three quarters of a mile is certainly not worth this investment unless it goes to Oakland for sure. I see they are fighting whether to go to the Northside or not but from what I understand from my friends in the federal government I thought the Congressman and the US Senators, there is no money for the LRT to go to the Northside. There is money for this. If it is doing the same thing, I wish we would all get on the same page.

I am looking at really not just this but the transportation to Oakland the high tech center if the Mon Valley expressway

comes through, again a parking garage there as a good people mover. We can also look at the tie-ins to the Universities, Duquesne, Oakland, the hospitals. Oakland is one of the major not only education but job enhancement areas in this region. I believe it would help and support almost everyone in the neighborhood, especially the Hill.

I have also looked at development. Again, we could have a long debate here but if you look at the original plan plus the lower parking garage, what they have done is basically put the parking garage underground most of it. They have made a better view than what is there. Also without it, I don't know how they can develop the other section. Right now it is all parking lot, they are saying parking lot goes in half. The other part for development whether it be a new arena, hotels as was mentioned by some of the people. If we look at the legislation that is in front of us and all the amendments to it, I certainly have seen that all your questions and the questions of the people here today have to be addressed before it goes further. All this is, is a moving it forward. Again, we are going on what we have been told by legal people that this is part of it. So, I feel comfortable financially. But I will say for the record the two million a year that the Mayor has already promised you is all I would give of the city taxpayers for this initiative.

Mr. Udin:

Just if I may correct just some information, I agree with the President relative to the city needing a system of mass transit. It is a part of the deceit of this project to make this thing appear as though it is a transit system. The Port

Authority has looked at it. There are planning methods and technical review processes that any transit system must go through in order to be approved as a transit system. The Port Authority is the local planning body that reviews transit problems or proposals. The Port Authority has looked at slow motion Maglev and decided that it is not an attainable position that it can support and therefore the Port Authority has rejected slow motion Maglev as a method of transporting people to the North Shore.

The slow motion Maglev system as a transit system has not proven itself and it is part of their deceit to make us believe that we would be passing up \$750 million if we rejected this proposal. The cities that you mentioned that have mass transit systems have rapid transit systems. That is what makes those cities transit systems effective. They are proven and they have gone through the planning processes. Slow motion Maglev has not gone through any planning process and it has not been approved. That is the difference and that is why we need to be able to carefully look at the technical planning of this thing, look at the finance of it very closely before we approve the first step. Because it will send the wrong message to the people in Washington, DC and in other places that this thing is ready to go forward when it is not. It is just a sham.

It is not a transit system, it is a slow motion transit system, it is a parking customer transit system. That is not mass transit. Anybody can't get on this system and ride around the city. The customers of their parking garages. Please don't be confused. This is a parking lot moneymaker. That is the purpose of this scheme. It is a parking lot scheme to move their customers who park in their

garages from place to place. That is not mass transit. Mass transit is public transit. It is rapid transit. This is not rapid, it is not mass, it is a scam.

Mr. Onorato:

I just want to comment. I voted in support of this last week and I still support this bill. But I just want to just explain a little bit why. I did have a few discussions with Councilman Udin last week after the meeting. My vote obviously is no indication of Councilman Udin's representation of his neighborhood. He does that well. My concern here and the reason I supported this because we are hearing numbers that almost appear to be unbelievable. Numbers that supposedly \$750 million of federal ice tea money or federal transportation money is supposed to come to this region. Somehow this is a key component of releasing that money. We are also hearing numbers of \$150 million of state money. Is that going to happen? Is that money going to come? I think we could debate that forever, and we don't know. But what I do know for sure and my concern on this whole project and discussion is that you have the majority of Commissioners already approving in support of this proposal. You have the Mayor in support. At least I have to assume he is in support since this is an administrative bill that came up through the URA and now you have City Council looking at an approval process.

The one thing we have seen over and over again when it comes to federal money, federal transportation money is that the region can never be united. Therefore, we don't get the money. I am wondering if that \$750 million will ever come here. But I am willing to give it a try

to see if it really is tied to this bill.

Last week I did throw in the amendment which you all supported because the URA had it in their agreement that Council now also retains the right to rescind this proposal in 18 months. I think in 18 months we are going to have a pretty good idea if the \$750 million is legitimate or not. I don't want to be in a position where if for some reason this Council will reject this bill ultimately and we are told you didn't get the money because you couldn't come to an agreement on a plan. Now I believe if the money is real and I said if they're, if the \$750 million of federal money comes to this region, there is plenty of procedure and process. Yet before one brick or one piece of concrete or one ounce of dirt gets moved up in this particular area. That has to go through the approval process and the review process and all the other process between the URA, City Planning, and City Council. But if the money doesn't come it is a mute point. This isn't going to happen.

If the money doesn't come we aren't even going to have a debate should a garage be built? Should a garage be built here? What should it look like if it is built here? I am willing to call everyone's bluff and show me the money at this point. You give me \$750 million of federal ice tea money and then we can debate what this thing looks like, where it goes and how do we do it. I think that we got a big if they're to get over. I haven't seen the money come to Pittsburgh yet. I hear a \$750 million that is twice our annual budget. We got excited because I think it was \$3 million Councilman Cohen that came here from the federal government when we heard that Cleveland got \$30 million. We were excited because we got

\$3 million.

Mr. Cohen:

Cleveland got a \$100.

Mr. Onorato:

Cleveland got a \$100 million. We got \$3 million. We have a chance, at least what we are being told, \$750 million for transportation. I want to see it if it is a reality. I don't want them to use Council as an excuse we didn't get that money. I want to see if it is really available and give it a chance to come to this region. That is the only reason I am supporting this because I want to see if that money is real.

Mr. Cohen:

Let me put my two cents in or maybe it will hopefully result in \$750 million. I have supported this project for several years now and for several reasons. The first and foremost has been the potential to provide a necessary and a long overdue public transportation link from downtown to the area that I happen to represent which is the East End, and Councilman O'Connor you talked about this as well. I mean I don't know how many of you were here when we had public meetings sponsored by the Port Authority for the Spine Line when I was first elected to Council in 1990 right after being sworn in in Council? One of the first meetings I went to was for the Spine Line at the Port Authority was apparently going to be constructing. Well the Spine Line went away of sky bus and many other public transportation projects. I don't know quite frankly what the chances are of this really coming to fruition or not. But at least there is a possibility here that it has

the potential to provide a critical transportation link at least to the East End where I represent. I know of course to other parts of the city as well.

The second part with respect to the financing of it, from everything I hear, the financing is available, significant financing is available at the federal level. Frankly the reason is because of Congressman Bud Shuster who chairs the Transportation Committee in the House of Representatives. The amount of federal money that could be available to this project is huge, as Councilman Onorato just said. And we need to not be able to not deny that kind of money that could potentially come here for a development that would be in the best interest of Pittsburgh.

I recognize and respect that there is significant opposition in the Hill District, and especially that of my colleague Sala Udin. That means a great deal to me. I guess what I view it as is a challenge to the Maglev people. The people who are putting this together to meet with the community, to do it in a way that would result in modifications of this plan at the Hill District starting point in a way that would present it to the community's satisfaction and that includes of course the Crawford Square Home Owners Association and other community groups in that neighborhood. There are several more approvals that would be necessary for this project to move forward. I would not oppose having a public hearing on this and I think if we were to have a public hearing, we should invite the federal level officials. Not state, not local, although obviously having them here would be fine. But what we really need to hear if we are going to have a public hearing is from

Congressman Shuster or a representative from his office, from DOT, not PennDot. PennDot doesn't have anything to do with this or very little. But the Federal Department of Transportation, members of Congress, Congressman Coyne certainly whose district would completely encompass this project.

I guess my view is that I am not ready or willing to kill this project at this time because of those two facts that it could provide an important transportation link at least to the East End where I represent. Secondly, because of the potential for federal, huge federal financing of this project. If there is a public hearing, that is fine. Let's make sure that all the issues come out on the table, but my position at this point is to continue to support this project.

Mr. Diven:

I just wanted one more final comment. I think Councilman Cohen and Councilman Onorato touched on some similar points. I believe that we are basically having an argument about the chicken and the egg and which came first. Does Maglev work or do we wait for it to be proven to work? Then we approve it. Here is a situation as I see it.

We can go ahead and approve this legislation which doesn't obligate the city to give into Maglev. With the idea doesn't work or has problems with some of the communities that it impacts, but at the same time it allows them to put together the necessary funding to go out and hopefully bring back \$750 million of federal dollars to get a new technology off the ground.

I understand that it is probably not in the lease, the lease is not a requirement with the Department of Transportation in order to go after this money. But I believe with the amount, I believe there is a \$145 million of private funding for this stage of the Maglev. I am sure that those people investing the private money and putting Maglev together and proving that it works are going to want to know that once they prove it they are going to have an opportunity to at least get into the City of Pittsburgh and have the opportunity to present it in front of approval for Zoning and for vacation of air rights and all the other things that they need. So I would once again like to say that I am going to support this. I hope that the burden will now be shifted away from Council and from the City of Pittsburgh and onto the people that are the proponents of Maglev. It is up to them it works and if it doesn't then we don't have anything to worry about. If it does then we still have all the controls of the city to make sure that the particulars of the plan are ironed out before they get the rest of the approvals that it is going to take to get this up and running.

Mr. Udin:

First of all I just want to remind colleagues to please look beneath the surface they have proposed that this is a transit system, a public transportation link. I heard Mr. Cohen express his concern for public transportation links as well as the President. I just want to remind you that if you look beneath the surface of this scam you will find out that it is not available to the public. It is only available to those elite members who can pay \$12 a day to park in their garages. Those are the only people who are allowed to get on this

so-called slow motion transportation system. It is not a public transit system.

When the Port Authority examined this plan for its transit usefulness, it was rejected both on technical grounds and on financial grounds. I think that the public hearing if we support recommitting this bill for public hearing, I hope that we will invite the Department of Transportation. I hope that we will invite the Port Authority, to find out why they rejected it. I hope we will invite a representative from Mr. Shuster's Office we need to invite them all because this is an important step we are taking. It is not a small step, it is an important step.

The Chair:

Well, I must respond. At least all the plans I have seen there going to Oakland, there are stops at CMU, Pitt, Children's Hospital, Duquesne, Mercy and I did talk to the Port Authority, I saw the head of it. He said you don't pay, it is free. It is a free ride for those who don't want to park. You can actually use it and it is also what is meant to be a feeder system where if you are taking a bus from somewhere and you stop in Oakland you can jump on this and go downtown. So, that is I believe incorrect. Also, I spoke to Bud Shuster. I took a tour with him. He supports the Mon Valley Expressway, and he also supports the Maglev. At least maybe a year ago tour. He also said living in Pittsburgh, going to Duquesne and Pitt this was the only city that didn't have some kind of major highway system or monorail system. So I have been comfortable. I have spoken with them and I have done my homework. I know what I am voting for. I am not saying I know every nook and cranny here, but at least that has been over

a year ago when Council supported this. I saw it first hand. I spoke with all those people. What has happened in the last six months, I don't know.

Again, I think Mr. Onorato brings up the best, let's challenge him to show me the money if they get the money one thing, if they don't get it, nothing happens. The test doesn't happen. The parking garage doesn't happen. We can't even debate where this thing would go. I would like our debating what roads or what streets, or does it go up Panther Hollow or doesn't it. But without the money I don't know that we are even wasting our breath right now.

Mr. Udin:

That is absolutely -- they have to put that plan together before the money can come. That is just a part of their scheme. This is not -- we aren't going to get the money in order to see if it is going to work. They have to demonstrate that it will work before they get the money. That is the way federal funds are given out. They're not going to be able to get the money before they demonstrate that this could work. They couldn't demonstrate it to the Port Authority it got rejected and they are not going to be able to demonstrate it to the Department of Transportation.

The Chair:

But they have Bud Shuster and I have seen letters and I have talked to him. The money is in the federal government to support a slow speed Maglev. That money is there. It is not there for the LRT, if it were there for any other issue I would say let's look at it. But right now there is no money. We could be sitting here, even

considering the garage goes away or they move the garage, unless they get the money, I don't think we are really arguing about we are just spinning our wheels. Because everything including if this goes to Oakland you are going to have so many debates and whatever neighborhood, what street, where does it go? But we can debate all day and come to consensus and then not get the money.

Let's have a final word on this. It is getting late.

Mr. Ricciardi:

Yes. I am not sure if it is final word. Mr. O'Connor and colleagues, last week I voted in the affirmative to approve the lease and move forward with this. I believe I see great potential in the Maglev industry being here in the City of Pittsburgh and Allegheny County. The issue of transportation obviously is up for debate. Sometimes it is difficult to know who is going to be right or wrong. The issue about job creating and retention is probably not up for debate. I think that this would be a bonanza in terms of creating jobs.

The issue of support regarding the IBW being willing to put up I believe 30 to \$50 million is a witness to itself that there is great potential in making this work. I do not agree in all do respect to our colleague, Mr. Udin, the very strong language he has used regarding some of the principles that are involved in this project. Because I believe they're probably all very intelligent businesspersons that have a vision, a dream. However, at the same time and I met with them before hand for a few minutes. I still hold very strong about this project. Matter of fact at this moment if

there was a vote to move this forward, I would vote yes. However, and maybe a thank you for the final word.

The motion before us though, Mr. O'Connor to recommit for a public hearing, not a recommitment. But a recommit for a public hearing. I tried to listen very closely to all people involved and that is probably why the state legislature allowed people to come forward before the meeting itself. One of the individuals that stood out is Mr. Earl Horde who I do not know personally but under his breath during his testimony he said that is the first I have heard of that, or that was not stated during the meeting. That brought up a red flag for me.

Now going back to and I try to be a good listener, going back to what Mr. Ferlo said last week when we supported including myself the infrastructure and the other funding for Crawford Roberts, that does not mean we gave up that particular decision on that particular land. Matter of fact, what the architect brought forward to us today it appears that there is going to be the parking is actually is going to be moved back away from the complex landscaping so in regards there could be improvement. But I am going back to what the motion is and that is for a public hearing. We did not have a public hearing on this. Matter of fact I found it very interesting that Mr. Tom Murphy, the Mayor of this city, came here with passionate remarks regarding the Heinz TIF and possibly taking the property of the private individual but did not come forward last week regarding this proposed legislation. The Solicitor was here, the Director of the URA was not here, the Commissioners were not here, others were not here and the Mayor himself was not

here. So once again if the vote is today if the recommittal for a public hearing fails, I want to make this clear, that I will vote for this bill.

But you had a lot of individuals here and we did not have a public hearing on this. I realize what my colleague, Mr. Onorato, is saying about the \$750 but I think that will occur at the Public hearing itself. So I will support a public hearing on this matter and I am going to support the motion brought forward by Mr. Udin. And if it passes, I think it will be very beneficial. I will bet that the residents of the Hill District or the Crawford Roberts complex I will bet they don't know about these 18 points, is it 18 points, Mr. Hertzberg, you represent the URA? You represent the URA, were there 18 conditions, 11 points. I am not sure if they realize what the 11 points are. So, once again, staying on the motion before us and I believe that we really didn't discuss the motion before us.

The Chair:

What is the motion to recommit or recommit for a public hearing?

The Udin:

Recommit for a public hearing was the motion.

Ms. McDonald:

I had my hand up. I just wanted to say again that I don't even though I think most of the community knows what they have with the information that they have which I think is lacking is something that they don't want. I think it is a disappointment that we are at this point

where Council has to make a decision. We also don't have as much information as we normally do have prior to making an informed decision. This is why I had supported Councilman Udin and strongly urged for a recommittal. I will say this, that if the recommittal does fail, and there are votes in the affirmative to move forward, that the community needs to understand. I think this Council body will ensure that there are some definite checks and balances there, that there are more opportunities in which they must receive adequate information succinct, thorough, they are going to be impacted. Again, this is in their backyard. Even though it borderlines town, it is in their backyard.

So I would hope that this Council body regardless of what we do here that we will make a concerted effort to ensure that the residents of the Hill who have a stake in their property on the Hill as well as downtown are informed and understand the entire picture.

Call the question.

The Chair:

Okay. Roll call vote on recommitting for a public hearing.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

NOES:

Mr. Diven Mr. Onorato
AYES Six NOES Two

The Chair:

We will recommit for a public hearing.

I would ask the people from the Maglev to give us some dates and times when they are visiting the neighborhoods and what groups they have talked to. There seems to be some debate over that. I have heard it from both sides. So hopefully they do their homework and we won't be able to have a public hearing until September. So, it gives you the month to inform the public what is going on.

MR. DIVEN PRESENTED:

Bill No. 1901:

Report of the committee on Public Safety Services for July 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1819:

Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of road spikes for the Bureau of Police at a cost not to exceed \$100,000.00.

Which was read.

The Chair:

You have heard the reading and

title of the bills, is there any discussion on the bills?

Mr. Diven:

I know it is late. I would like to thank colleagues for their support on this legislation. I think it is going to be a great step in making the city safer and really taking high-speed chases out of the realm of our police department. So thank you for your support.

The Chair:

I do. I want to compliment you on your hard work on bringing this together with the public safety. It is an important issue especially since the problems we have faced in the last few years. I am not blaming anybody, but it certainly will prevent and hopefully prevent a lot of potential accidents.

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1902:

Report of the committee on Engineering and Construction for July 21, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1820:

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Relocation of Fort Duquesne Boulevard including construction management and inspection services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; providing for a Cooperation Agreement or Agreements with the Public Auditorium Authority; at a cost not to exceed \$13,584,000.00.

Which was read.

Also,

Bill No. 1821:

Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement

Program," by amending the funding source on Fort Duquesne Boulevard Reconstruction and reducing the total project allocation by \$66,000.00 from \$13,650,000.00 to \$13,584,000.00.

Which was read.

Also,

Bill No. 1844:

Resolution further amending Resolution No. 1018, effective January 1, 1997, as amended, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program;" and approving the 1997 through 2002 Capital Improvement Program, by transferring \$140,000.00 from Smallman Street Sidewalk Improvements to a new line item entitled "Schenley Park Bridge over Boundary Street."

Which was read.

Also,

Bill No. 1845:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring \$91,962.75 from Three Rivers Stadium Ramp to Schenley Park Bridge over Boundary Street.

Which was read.

Also,

Bill No. 1846:

Resolution amending Resolution No. 403, effective April 21, 1992 entitled "Providing for a Contract or Contracts for the Rehabilitation of the Schenley Park Bridge over Boundary Street, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by increasing the total project allocation by \$231,962.75 from \$5,500,000.00 to \$5,731,962.75.

Which was read.

Also,

Bill No. 1847:

Resolution amending Resolution No. 166, effective April 15, 1997, entitled "Providing for an Agreement or Agreements and/or a Contract or Contracts, or use of existing Contracts, for Smallman Street Sidewalk Improvements including Construction Inspection Services; and providing for the payment of the cost thereof," by reducing the total project allocation by \$140,000.00 from \$850,000.00 to \$710,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the

bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

I just received correspondence from the City Solicitor. She just contacted my office requesting Council cancel the public hearing scheduled for Wednesday, tomorrow, at 2:00 the matter concerning personnel and students at the city school system. The Solicitor has informed our office that the Department of Law will issue a legal opinion later on this afternoon.

I would like a motion to cancel tomorrow's public hearing.

MS. MCDONALD moved to adopt.

MR. HERTZBERG seconded the motion.

Which motion prevailed with Mr. Ricciardi voting no.

The Chair:

We do have, while we are on public hearings, we have two public hearings this afternoon. One at 2:00 concerning Carrick High School and one at 3:00 concerning the Boys and Girls Club Charter in Lawrenceville at 3:00 today.

Ms. McDonald:

Just to -- well first of all let me ask Council President O'Connor if you would please acknowledge we have five law students under the tutelage of Rodney Akers of our Solicitor's Office. They are interning and externing students from various schools I believe and they were here to listen to Council. But they also wanted me to say something to them at 12:15. But we were busy doing what we normally do and we were at our finest moments here. So again I just wanted to ask you if you could please acknowledge the five law students.

The Chair:

All please stand, Rodney, with your group. Are you interning now with the city?

Mr. Akers:

Yes, they are. A couple of them will be with us in the fall as well. One of these students actually does do some (inaudible) work.

The Chair:

Thank you for your help and support and good luck in law school.

Ms. McDonald:

Teach your employees, God pity them.

The other thing, when you talked about the public hearing. We have heard significant testimony about this public hearing that Council was asked to hold for Chief Fadzen and the school district. I am going to say this and I don't care what legal opinion is out there. I really could care less. I will not participate in a public hearing when it comes down to School Board matters because the School Board members are elected no differently than we are. They are a separate governing body.

I think it is very disrespectful for us to even think to hold something that was within their jurisdiction. This is a personnel matter. I don't understand why people would even come to us and ask us to do this. We are not over the School Board nor is the School Board over us. We are colleagues.

So I would ask Council, I don't care who comes to the mic asking for a public hearing, whether we get a thousand signatures, I believe that we have the right to say no. We are not going to hold a public hearing on that matter and for no other reason out of common courtesy and respect to another governing body. That is no different than we are holding a public hearing and it has to do with an issue that came out of the Commissioners meeting. It is not right. It is just not right to do.

So, if there were a public hearing held, I was not going to be in attendance, no matter what and that is my stance on it

as a former School Board member, no let's not medal and they did not expect to medal in our business but we work together.

Mr. Diven:

Now that Councilwoman McDonald brought this up, I agree with her whole heartedly, I don't believe it is a realm that we should go into. I know that there was an opinion that we saw that said this could open up for arguments in front of Council, things that you know can become completely ridiculous. I think we would be setting a bad precedent by doing that.

But in addition to that, I did want to make a couple of comments regarding Chief Fadzen because I know during the course of the public debate, I think there was a lot of comments that were alluded to that would make his character assailed. I think that that was something of a shame. I know Chief Fadzen personally. I think he is a man of integrity. I can say when we had our briefing with the legislators regarding our working relationship with the School Board and the State House and Senate members, one of the issues we talked about was how well our schools and the School Safety Program is being led under the direct supervision of Former Superintendent Dale Frederick and Chief Fadzen.

It was also pointed out that the model for the City of Pittsburgh School District has been taken by the Justice Department and the FBI to other schools throughout the nation in order to increase the safety and awareness of safety especially in relationship to recent events such as Columbine or the shooting in Erie. Chief Fadzen has done an exemplary job and I think that one of the things that I was

going to say at the public hearing on Wednesday was that I think that his character and his integrity should be beyond reproach. I think that the idea of having a kangaroo court in front of City Council when we have no jurisdiction in front of that is only serving the purpose of trying to demean somebody's character that as far as I am concerned has all of my respect. So, I just wanted to add that.

Mr. Cohen:

Let me just say one thing, the way the city charter reads right now if 25 citizens who are voters in the City of Pittsburgh want a public hearing before Council on the mating habits of the (inaudible) Fruit Fly, they can do it. It is not something that I love, but the fact that that is in the charter and they have the right to have a public hearing on anything.

I agree with Councilwoman McDonald completely and Councilman Diven that we are completely separate bodies from the School Board. Chief Fadzen has done an excellent job but if 25 citizens want to talk about anything in the world, they can get a public hearing before City Council.

Mr. Ricciardi:

Yes, thank you. I don't know the Chief either personally or professionally, however, I believe what the Councilman Michael Diven has stated about him. I am sure he is a great gentleman according to Michael. But at the same time we did receive legal opinion from our Law Department stating that a public hearing was mandatory if we received 25 valid signatures. I believe the public opinion -- public legal opinion went on for several

pages, after that obviously we received something from an attorney that was employed by the School Board. So obviously we would know where that particular person would be coming from. That is to say that we had no right to have a public hearing.

Hopefully our legal opinion, Mr. Diven and Ms. McDonald, from our Law Department was objective. Plus it is the 11th hour. I mean we have advertised, we have accepted it. We made a motion for a public hearing. We have gone this far, and I am not an attorney such as Mr. Cohen, but I would believe that if we would cancel it that we would be under some jeopardy because the people who petitioned the public hearing --

The Chair:

I believe, if I can interrupt, Mr. Ricciardi, I believe you were out of the room. We just received my office notice from our Legal Department requesting we do cancel it. So they are looking into the matter.

Mr. Cohen:

If I may, --

The Chair:

Again, just for the record there was only one person signed up for this hearing. I believe we have to be very careful. Hopefully we can set guidelines that anybody especially when it deals with personnel. You can be mad at your boss working down the road at Wendy's and say I am mad at my boss I want to bring 25 employees in and talk to City Council. I think there is no end to it. So, if nothing

else hopefully this can set some guidelines.

Mr. Ricciardi:

I would like to ask a question if I may. The memorandum that you have before us they suggested or they advised us to have it. What are they saying now, can you read it us?

The Chair:

They are reconsidering.

Mr. Ricciardi:

Is that all it says, they are reconsidering?

The Chair:

And they will have a legal opinion by this afternoon but they have asked us to at least cancel it for now.

Again, I agree with what everybody said, I don't think this public hearing we have any business dealing in this. But just for the record, our Law Department last week told us we must do it as Mr. Cohen a well known lawyer in this city agrees with the law. So we are following the letter of the law and now our Law Department along with the Law Department of the School Board had requested at least we cancel it for now.

Mr. Ricciardi:

I have the floor and I am going to keep it just for a second. I am not taking away from you. I am just saying this is the reason that this body becomes so irate at times with our Law Department because when we ask them for an opinion we really

question are we getting an objective opinion?

For example, the administration brings something forward and we say well let us we want an opinion. What happens? We know what happens. That opinion comes down the way the administration favors. It just shows you in law there is no black and white. In this case it shows you that we rely on their opinion, their legal opinion. We rely on their skills as attorneys and they can say sorry we had a change of mind. After we advertise, after it is out in the community.

I mean I will tell you if this was the private sector and I was a client and I made a decision based on my attorney's opinion and then I made that decision and then he or she came back one or two weeks later after I have already committed myself, I think I would not only fire that attorney, whoever that is, I think I would have some sort of what is it called, Mr. Hertzberg, some sort of relief before some sort of judicial body.

Mr. Cohen:

Cause of action.

Mr. Ricciardi:

Cause of action. Thank you. Now it is just upsetting, it really is. I am not voting to cancel that public hearing. I believe there needs to be a vote of this legislative body to cancel that public hearing.

The Chair:

We just voted.

Mr. Ricciardi:

I vote no. Put me on the record as voting no. That is a disgrace, that is a shame. Who wrote that, whose name is on that, Mr. O'Connor? I still have the floor.

The Chair:

I believe, I am only --

Mr. Ricciardi:

Whose name is on that?

The Chair:

I only have a written hand from my office. So I don't have the documents but Jacqueline Morrow or at least my office's note says she called and requested a --

Mr. Ricciardi:

That's a pity. That shows you we can never trust or rely on legal opinions from our Law Department when it comes to even legislation. No wonder why yesterday when I was fighting for that hospitality operations and the Law Department is telling me it is illegal I said it is not illegal you guys don't know what you are talking about because sometimes they don't know what they are talking about. That is a shame.

The Chair:

Well if they're --

Mr. Hertzberg:

In defense of the Law Department on this issue, there has been some new facts introduced. I guess I don't have to

defend it since the attacker just left the room. But at any rate, there have been some new facts that have been brought forth by a special Solicitor to the School Board. We all received this today and I think the Law Department needs to look at some of those issues that are raised there. That is all. They are doing their job.

Some new information has come forward. They are now asking for some more time to reconsider their opinion based on new information provided by the attorney for the School Board. I think that's a prudent and an appropriate thing to do by our Solicitor's Office.

Ms. McDonald:

I am just going to say for the record, thank you Councilman Hertzberg, I read that too. But just for the record, any time that it looks as though that we are invading another territory, another governmental jurisdictional issue, I am going to bow out for the record. I will not attend, you can have a legal opinion, you can set a public hearing and I guarantee I won't be here. I am on vacation, I am out of town, I will be in the bathroom. I will be somewhere except in this Council chamber when it looks like it is not the right thing to do. That will be my protest. Out of just common respect for the colleagues that I serve with on the School Board. I know I would be quite miffed if I thought Council had to have a public hearing to discuss something that is within their jurisdiction. I will not participate in that and I really don't care.

The Law Department and again I am not with Councilman Ricciardi on the criticism, I think our Law Department has issued some fine opinions I rely on them all the time. So, I have no problem with

them. But, it is an opinion and ultimately it is going to be my decision and I am not going to invade someone else's -- my plate is full enough. I think all of our plates are full enough. We don't need to undertake this too. So, I am not going to come no matter what.

The Chair:

Well, you know this could be one of those win, win situations because the lady who called the hearing this morning was upset. She wasn't notified long enough because I did tell her over a week ago that it was set. So I think we have a month to reconsider this hearing and maybe set some guidelines. I have been here eight years, this is the first time a really out of line request has come. So I was hoping it wouldn't get half this attention. So in the future it probably would have went by without anybody noticing had we just gone by with it. But with respect to our Law Department we will come up with a final answer this afternoon.

Any other discussion?

Please excuse the absent member.
Mr. Ferlo is out of town.

MR. HERTZBERG moved to excuse the absent member.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. HERTZBERG moved to adjourn the meeting.

MS. MCDONALD seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bills 1815 and 1827 can be found in the Standing Committee Meeting minutes of July 21, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 31

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Monday, August 2, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Ms. McDonald	Mr. O'Connor
	(Pres't)

ABSENT:

Mr. Hertzberg

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation

under God indivisible with liberty and justice for all.

The Chair:

We have many special guests in the audience.

PRESENTATIONS

Mr. Ferlo:

I am doing Shakespeare Summer Stock by the way, that is why I -- I would like our guests from the community to come forward as well the Pirate Organization, Smitty, Mr. Olszewski. I would like to read the following proclamation and invite our guests to say a few words.

MR. FERLO PRESENTS:

No. 1903 WHEREAS, Pittsburgh's Polish heritage is a strong, colorful, vibrant and important thread woven into the multiethnic fabric of the city's past, present and future; and

WHEREAS, from the mills to the corporations to the political offices to the neighborhoods, citizens of Polish descent have had a direct and lasting positive impact on the region's cultural, economic and political landscape; and

WHEREAS, the Pittsburgh Pirates are the proud sponsors of Polish Festival Night at Three Rivers Stadium's Gate A on Saturday, August 7 beginning at 2:00

P.M. prior to the game against the St. Louis Cardinals; and

WHEREAS, the celebration will feature a live concert with The Polka Family and Li'l John's Polka Band, traditional dancing by the dance group Polonia, who will also be performing in the stadium during the game, colorful costumes and free samples of Mrs. T's pierogies.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to encourage all city residents to "roll out the barrel" at Three River Stadium's Gate A on Saturday, August 7th beginning at 2:00 P.M. to show support for the Polish community with the Polish Falcons and others while enjoying the fun and merriment of the Pittsburgh Pirates' Polish Festival Night.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I think the proclamation is self-explanatory. This is a great tradition that started a couple years ago thanks to the efforts of my buddy here, Smitty. His official name is Tom Smith and his partner here, someone very active in the Polish community, Art Olszewski. We have a Pirate Representative here to my left, Jeff Ptak from the Pirate's Box Office who is very involved in doing outreach.

Some of my colleagues are aware prior to the McClatchey ownership and tenure at the Pirates, I have been critical of

the Pirates not doing enough outreach into the community. That changed significantly with Mr. McClatchey and the new organization he brought in and I am proud to say that the Pirates do a lot more outreach than they have ever done in the past. I think this is yet one of a number of different examples of the kind of outreach that the Pirates need to continue to do to really make baseball be a good family experience for our residents and people who care about the support itself.

This is a very unique event and I want to applaud Smitty and the others here from the Polish Community who really spend all their volunteer time. They all work and have their jobs and lives and families but they put an awful lot back out into the community. It is a great opportunity for young children and I want to applaud them, present the proclamation and ask Smitty or Art if they would like to say a few words. We will also have Jeff say a few words from the Pirate's organization. I am very pleased that they are in chambers today. Jeff, you want to say a few words.

Mr. Ptak:

On behalf of the Pirates I would like to thank City Council and Mr. Ferlo for recognizing this event. It is going to be a great day for the Polish Community and also for the entire City of Pittsburgh. We would like to invite all residents to come out to the stadium this Saturday, hear some great polka music, eat some pierogies, and have a great time.

The event will be from two to seven followed by the Pirates playing the Cardinals at seven o'clock. If you are at the game that night you might have a

chance to see some history as Mark McGwire is three home runs away from 500 so we are hoping that he will do that against us but hopefully we will still win the game.

We would like to invite everyone out to the game this Saturday and Tom is going to give you a little bit of information on what is going to be happening. Thank you.

Mr. Smith:

First of all, thank you City Council and Councilman Ferlo for the proclamation. I am very proud to be here and on behalf of all the Polonium's of Pittsburgh we all should be very proud of the Council we have here. They do one heck of a good job and I hope they continue.

Please everyone come down and have a good time as Jeff said Mrs. T's Pierogies we will be having pierogie samples out there, we are going to have the Polonium Song and Dance Ensemble performing outside of gate A with the Polka Family Band and Little Johns Polka Band. We will have a special guest appearance up on stage with the polka family by Little Ryan of Grodney (phonetic) and a few other surprises. During the game I have been notified that the Polonium Song and Dance Ensemble will also perform on top of dugouts, which is a first for the City of Pittsburgh and the Polonium's. So please everyone come on out and have a good time. Thank you.

Mr. Ferlo:

Art is bashful, he just is working hard and helping out.

We want to thank you for organizing the event. The two bands are great bands, they attend the infamous Ferlo Marathon party in Bloomfield every year and they are great Polish Polka bands. So it's going to be a great party. I know you are going to put Heinz ketchup on the pierogies too. We're going to get a photo. Thank you very much.

The Chair:

Why don't you bring back Ted (inaudible) to pinch-hit. Everyone remember big Ted?

Mr. Smith:

Next year we can have negro night there.

The Chair:

At this time we have one to be read into the record.

MS. MCDONALD PRESENTS:

No. 1904 WHEREAS, Saint James A.M.E. Church will host the 132nd Annual Pittsburgh Conference September 1-4, 1999; and

WHEREAS, the Reverend, Dr. Ronald L. Glenn will host the event. Bishop Henry A. Belin, Jr., Presiding Bishop of the Third District, will preside over the four day conference. The sixty-six churches of the Pittsburgh Conference will join with their delegates. Expected are more than 500 delegates, visitors and friends. Sessions will include worship, Holy Communion, business sessions and institutes; and

WHEREAS, the Wilberforce University Choir will present a short concert on Friday, September 3rd as part of the celebration of Education and Youth Night; and

WHEREAS, the present church purchased in 1966 is the third home of the host church. Sumpter Hall, the education building, was completed in 1968. The Deaconess Home was opened in 1970. The latest facility known as Center for Healthy Hearts and Souls opened in 1998 with a \$50,000 grant from the University of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Saint James A.M.E. Church for its many programs, both secular and community.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

At this time we would ask anyone who has public comment. Anyone from the audience wishing to address Council for three minutes please do so now.

Hearing no comments, I understand we have a group from Brashear High School and from France if the teacher, would you like your teacher or leader or spokesman if you want to come to the mic and maybe introduce yourself. Please go to the mic and --

Ms. Miesse:

Good morning. I am Molly Miesse. I am head of the Foreign Language Department at Brashear. We are trying to get an exchange program with the city of Lian (phonetic) in France and so we were over there for a little over three weeks, two students and myself and their exchange students came back to visit with us for three and a half weeks. So we're hoping to expand this for the rest of the city schools as well. And if the girls would like to come here, Elise Stadahar (phonetic), Elise, would you like to introduce your guest please.

Elise Stadahar:

Okay. This is my person I stayed with in France. Her name is Caroline Fervo (phonetic).

Caroline Fervo:

Hello.

Ms. Miesse:

This is Joan Bogdanski and her guest from France as well.

Joan Bogdanski:

My guest is also Caroline, she is from Lian France.

Ms. Miesse:

And then we also have another French teacher and English teacher from Brashear, Jen Murphy with us. She is part of our group. We would all like to say thank you. And say Merci, for having us down here. That was really nice of you.

The Chair:

Why don't you come up. I am sure Mr. Diven who represents the area would like to have a picture with all of you. Come on up.

The Chair:

Is there any unfinished business to come in front of Council?

We do have some appointments.

UNFINISHED BUSINESS

Bill No. 1805 Resolution authorizing the re-appointment of Christine Williams to the Human Relations Commission term to expire April 1, 2003.

Bill No. 1806 Resolution authorizing the re-appointment of Robert McClellan as a member of Human Relations Commission, term to expire April 1, 2003.

Bill No. 1807 Resolution authorizing the appointment of Susan Vohe as a member of the Human Relations Commission, term to expire April 1, 2003.

Bill No. 1836 Resolution authorizing the appointment of Peter Micheli as the Chief of City Fire Bureau.

The Chair:

Motion to approve.

MR. FERLO moved to adopt.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

All appointees are approved. There were no presentation of papers. We will move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1905:

Report of the Committee on Finance and Budget for July 28, 1999, transmitting two ordinance and sundry of resolutions.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1759:

An Ordinance amending the Pittsburgh Code, Title 2: Fiscal; Article I: Administration; Chapter 201: City Treasurer; Section 201.11: Tax Increment Financing (TIF) Registration, by adding new sections regarding the commitment to employ city residents at facilities which are supported by Tax Increment Financing. (SPONSORED BY MS. MCDONALD AND MR. O'CONNOR).

Which was read.

Also,

Bill No. 1872:

Resolution of the City Council of the City of Pittsburgh (The "City") determining to incur lease rental debt in an aggregate principal amount of Thirty-Seven Million Six Hundred Ten Thousand

Dollars (\$37,610,000) by entering into a supporting agreement (The "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (The "Authority") and the County of Allegheny.

Which was read.

Also,
Bill No. 1873:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 1711 Locust Street, 1st Ward, Council District 6 Purchaser: Thomas M. Davis 3 sty. brk. hse. situated on 948 sq.ft. Purchase price: \$1,500. Intended use: personal residence or rental unit.

(B) 515 Kendall Street, 10th Ward, Council District 7 Purchaser: Rudy Lopez, Jr. Vacant lot containing 2,064 sq.ft. Purchase price \$500. Intended use: adjoining yard space.

(C) 309 Stadium Street, 20th Ward, Council District 2 Purchaser: Kenneth Golembewski, Vacant lot containing 2,194 sq.ft. Purchase price: \$500. Intended use: Combine with additional private to build a garage.

(D) 3207 Universal Street, 20th Ward, Council District 2 Purchaser: Robert D. Kennelly & Lorraine F. Kennelly, his wife, ½ sty., 2 car d.b. garage situated on 2,188 sq.ft. Purchase

price \$500. Intended use: Garage for personal vehicles.

(E) 7140 & 712 Chateau St., 21st Ward, Council District 6. Purchaser: Cardello Associates, Vacant lot containing combined area of 6,432 sq.ft., Purchase price: \$20,000.00. Intended use: off street parking for the Cardello Building. Which was read.

Also,

Bill No. 1874:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 3636-1/2 Liberty Avenue, 6th Ward, Council District 7, Purchaser: Stanley P. Olson, Vacant lot containing 1,636 sq.ft., Purchase price: \$100. Intended use: additional yard space.

(B) 43 Pius Street, 17th Ward, Council District 7, Purchaser, Cynthia M. Poland, Vacant lot containing 1,000 sq.ft., Purchase price: \$100. Intended use: additional yard space.

(C) 407 Kathleen Street, 18th Ward, Council District 2, Purchaser: Robert T. Fetherlin & Dorothea T. Fetherlin, his Wife, Vacant lot containing 2,217 sq.ft., Purchase price \$100. Intended use: additional yard space.

(D) 21 Noblestown Road, 20th Ward, Council District 2 Purchaser: Perry Petrone; Vacant lot containing 3,132 sq.ft., Purchase price \$100. Intended use: additional yard space.

(E) 1624 Chateau Street, 21st Ward, Council District 6 Purchaser: Corene G. Caldwell, Vacant lot containing 1,310 sq.ft., Purchase price \$100. Intended use: additional yard space.

(F) 1618-1620 Chateau Street, 21st Ward, Council District 6, Purchaser: Corene G. Caldwell, Two vacant lots containing combined area of 3,510 sq.ft., Purchase price \$200. Intended use: additional yard space.

(G) 252-254 Carrington Street, 25th Ward, Council District 6, Purchaser: Mary J. Judge, Two vacant lots containing combined area of 3,000 sq.ft., Purchase price \$200. Intended use: additional yard space.

(H) 130 Minooka Street, 29th Ward, Council District 4, Purchaser: Michael C. Bohichick, Vacant lot containing 5,000 sq.ft., Purchase price \$100. Intended use: additional yard space.

(I) 5171 Hillcrest Street, 10th Ward, Council District 7 Purchaser: Ned Reid & Willene Reid, his wife, Vacant lot containing 2,000 sq.ft., Purchase price \$100. Intended use: additional yard space.

(J) 6915 Odessa Place, 12th Ward, Council District 9, Purchaser: Armond Snowden, Vacant lot containing 1,900 sq.ft., Purchase price \$100. Intended use: additional yard space.

Which was read.

Also,

Bill No. 1875:

Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, to certain property in the City of Pittsburgh, adjacent to the Lincoln Elementary School, to the School District of Pittsburgh as it is needed for future expansion.

(A) 6589-6591 Frankstown Avenue, 12th Ward, Council District 9

(B) 6587 Frankstown Avenue, 12th Ward, Council District 9

(C) 6585 Frankstown Avenue, 12th Ward, Council District 9

(D) 328 Lincoln Avenue, 12th Ward, Council District 9

Which was read.

Also,

Bill No. 1876:

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property, designated as Block 61 D, Lot part of 160, in the 18th Ward of the City of Pittsburgh, to James C. Pantelis, Jr., for the sum of \$500.00.

(A) 1058 Ensign Avenue, 18th Ward, Council District 3, Purchase Price: \$ 500.00

Which was read.

Also,

Bill No. 1877:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 1728 Buena Vista Street, 25th Ward, Council District 6, Purchaser: P.H.A.S.E., Three story stone and brick house requiring rehabilitation., Purchase price: \$1,000.00 + Costs., Intended use: Development under property reserve.

(B) 1912 Morris Avenue, 25th Ward, Council District 6, Purchaser: Fineview Citizens Council, Inc., Two story frame house requiring rehabilitation, Purchase price: \$1,000.00 + Costs, Intended use: Development under property reserve

Which was read.

Also,

Bill No. 1878:

Resolution authorizing the City of Pittsburgh to issue quit claim deeds for properties, designated as Block 60 E, Lot 13, in the 29th Ward of the City of Pittsburgh and Block 138 A, Lot 190, in the 32nd Ward of the City of Pittsburgh, to the Port Authority of Allegheny County.

(A) 1318 W. Warrington Avenue, 29th Ward, Council District 4, Purchase Price: \$600.00

(B) 2600 Glenbury Street (rear), 32nd Ward, Council District 4, Purchase Price: \$1,000.00 (LOT .5 Acres)

Which was read.

Also,

Bill No. 1879:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 335 Cedarhurst Street, 18th Ward, Council District 3, Purchaser: Nicholas R. Tomich, Two story aluminum siding house requiring rehabilitation, Purchase price: \$1,500.00. Intended use: Rental Unit

Which was read.

Also,

Bill No. 1888:

Resolution transferring the sum of Fifty Thousand (\$50,000.00) Dollars from Organization: 123000, Account: 511000, Fund: 1000, Sub: 010, Salaries, TO Organization: 123000, Account: 516000, Fund: 1000, Sub: 020, Premium Pay, Department of General Services. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 1891:

Resolution authorizing the transfer of Two Hundred Thousand Dollars (\$200,000) from Salaries, Fund 1000, Org. No. 250000, Account 511000, Subclass 010, Budget Year 1999 to Supplies, Fund 1000, Org. No. 250000, Account 534600, Subclass 050, Budget Year 1999, Bureau of Fire, Department of Public Safety. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 1893:

Resolution authorizing the issuance of a warrant in favor of Karkadoulis Bronze Art in the amount of Seven Thousand Five Hundred (\$7,500.00) Dollars in payment for Monument Restoration work and providing for payment thereof, chargeable to and payable from Account 525500, Org 400000, Fund 5100, Subclass PGHPR, Budget Year 1999, War Memorials Project, in the Department of Public Works. (PRESENTED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 1895:

An Ordinance amending Ordinance No. 28 of 1998, entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section

201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%. (SPONSORED BY MS. MCDONALD)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

Thank you, Mr. Chair.

I don't know how you want to handle this. I have an amendment to Bill 1759 but the primary sponsor is not in the room at the time, but I imagine on the way back. I will begin to describe what the nature of the amendment is. It's an amendment to change the language from a goal to a requirement. More consistent with the intention and language of the first source cooperation agreement if you recall of 1984. A similar piece of legislation was introduced by the Caliguiri administration, which required any recipient of a loan from the city to hire 50% of the employees as residents of the city.

This bill is very much similar to that bill but it doesn't require the employer to hire 50%, it simply encourages them to or requires them to submit a plan and the plan might include 35% but it is not required to. And the intention of my amendment, which I hope will be received as a friendly amendment by the sponsors and Council, is to strengthen the bill. So that the recipients of tax increment financing are required to hire 35% city

residents as opposed to only being required to submit a plan and to establish a goal.

Ms. McDonald:

Unless others have comments about that, I apologize for being out of the room when this bill was first being discussed, but I was on the phone with the Office of the Mayor who said they will veto it.

The bottom line is this, I appreciate the spirit of what Councilman Udin wants. I again in terms of speaking idealistically, very idealistically and in terms of speaking in principle, yes I would like to be able to make sure that all companies who receive public dollars are mandated to employ a certain minimum percentage of city residents. I would also like to ideally make them employ minorities, African Americans, people coming off of welfare, handicapped. I mean that's my idea too. But the problem is that ideas sometimes cannot be realized. That's the reality that kicks in. The reality is that if you mandate something like this to a private entity who may not be the direct developer, who maybe a tenant that is residing or locating in a facility that is financed through a TIF, the reality is that you may thwart, you may discourage development.

This legislation was written within a cooperative spirit not in a heavy-handed approach. Heavy-handed approaches are necessary at times. But often times in terms of business it doesn't work. A developer will take up his or her money and say forget it. I can go some where else don't tell me that I must have a 35% workforce of city employees, of city residents it may not be attainable.

My concern in talking with many of the representatives of the corporate community overwhelmingly have said they support the spirit of this. They like the goals, they like the fact that they are made, enforced to work with the Department of Personnel and the City of Pittsburgh throughout the duration of this TIF to keep hammering at the employment. But they want to make sure that it is indeed not have the tone that of heavy handedness such that it would make them say forget it. This is a business friendly cooperative, good will whatever you want to call it and I believe it will work.

As an example just recently I met with PNC officials. PNC even though they asked me not to quote an exact number of city residents that they have and they have been working with Ron Painter and the City of Pittsburgh Department of Personnel constantly on this goal, they have well over 35%. I repeat well over 35%. The only reason I am not given an exact figure, which really is surprising when I heard this is because they can't -- they want to make sure that it is statistically sound before it is made part of a public record. But it is well over 35%. This was done without legislation, this was done without any mandates, this was done because they are a good corporate community partner with the City of Pittsburgh. That's how it's done in business; that's how it's done. From handshakes on the golf course to legislation as such, it is done in the spirit of cooperation.

Again, I appreciate the idea of mandating. The problem that I have with this is that it would indeed suffer a possible veto, yes we can over ride it but I

still feel that it is not business friendly.

I wouldn't have met with corporate leaders had I not wanted to work in the spirit of cooperation. I would have done this in a vacuum; this is dealing with the corporate community. I could have done this in a vacuum; it would have made the news. A lot of people would say you go get them Val, but it wouldn't have done anything except possibly discourage the development. So I have made some recognition, name recognition for myself but it really has not benefited the very people that this legislation is intended to serve because there is no development.

So again I am pulling back a little bit and trying to work cooperatively. I have worked with Councilman O'Connor his aid, Doug Shields, we have worked together. We both had these ideas. I would prefer not to have any amendments made.

There are two points that were made last Wednesday that I would like to address. One is the notion of retroactivity. The answer is no, legally it cannot retroactive because once a TIF is signed, once the legal agreements are signed you can't go back and put additional conditions on. So this will be for TIF's that proceed forward from the time the Mayor's signature is executed on.

In terms of Councilman Cohen who had made an excellent point about penalties for submitting fraudulent claims, versus penalties for failing to submit, the short answer is it is difficult -- this is going to be a difficult piece when forced all together, this whole penalty thing. It's difficult to prove fraud on something like this. So as a matter of just being

pragmatic about it for right now, for right now, Councilman, I would just like to go ahead and keep it as is and see how it goes from there. At a later in point we may have to adjust it but your point is well taken. I just don't know at this late point in time, at the 11th hour, how I would even word that. But I am receptive to amendments later down the road if you so choose. But to mandate employment again would indeed take away the spirit. It would not be a friendly amendment because again then you are in a battle with veto's, you're in a battle with the corporate community.

This is a realistic piece of legislation that we have all worked on and I would ask my colleagues to please vote for this legislation in tact without amendments at this time and vote it up or down. As far as being friendly, I just got this amendment, Councilman Udin, and like now I was not aware of this even as late as this morning. So I am not able to digest it. To me it is not really a friendly amendment, it is a last minute amendment but it would indeed take away the spirit. So I would ask for you and all my colleagues to support the unamended version.

Mr. Udin:

Point of information, there was some reference made to a veto. I am not sure exactly what was being said? Is it that the administration says that they would veto this legislation if this amendment were added or they intend to veto the legislation as it is?

Ms. McDonald:

No as a point of clarity to

Councilman Udin, I have worked with Councilman Mr. O'Connor and the administration. This has been a joint effort. This is one time that this legislation is a joint effort. No, this legislation will be supported, will be signed its fine, but with these amendments it would indeed jeopardize the passage.

Mr. Udin:

The administration said that they would veto this legislation --

Ms. McDonald:

The administration said now I will say it verbatim, that it would jeopardize passage and I don't really want that. This is a piece of legislation that is going to affect could be thousands and thousands and thousands of long term employment. This is one type of legislation where we really do have to work cooperatively. The corporate community, Council, the Mayor's Office, we all have to work together on this to make it happen. This is going to benefit people and if it means I pull back a little bit on the strength, I didn't like the fact that the corporate community said well the tone sounds kind of harsh. I said what is harsh about it? What is harsh about this? I am not here to quibble about their perception. I am here to sit down and make sure that we hammer something out that is doable and this is doable. This is something that is accepted and amenable to all parties. So again, that's why I am asking for support for this legislation.

Mr. Ferlo:

I think regardless of which ordinance we finally adopt, the proof is in the pudding. The effectiveness of whether

or not we are going to attain greater residency for city residents in meaningful employment, is in development projects as a result of the city utilizing tax increment financing is really not going to be in the language in the end of either bill. It is going to be in meetings that are lead and chaired and sponsored and initiated by the Mayor himself and his chief (inaudible) who are involved in negotiating these deals in the first place. If they don't have an attitude of meeting behind closed doors at the very earliest times of which a company or a corporation is seeking financial support through a tax increment financing, it is at that point that they strategically have to say what is in it for us. We're willing to forgo some tax revenues, what is in it for us?

How are you going to guarantee economic benefit, increased revenue in the future or meaningful employment opportunities for city residents if we buy into this TIF philosophy and this specific TIF financing package? They haven't done that yet in a meaningful way. I think they want to get there. I think they are struggling to figure out how to get there. I think they have approved the manner in which they begin to have discussions to get there, but they're not there yet. I mean the Heinz example. I mean the Murphy administration. I am beginning to question their ability to effectively put the best package together not only for the taxpayers, for the city budget and in fact for the residents. Because it seems like the first thing they do is open up the checkbook and right a cart blanche check.

I am really beginning to question the ability of the administration to fairly and squarely deal with these companies on behalf of the city residents. Probably the

next Merrill Sloan will be the Murphy administration. Can we afford another four years? The Heinz is an example. I think Heinz should be happy that they philosophically and politically won a significant policy debate here that Council is willing to use the strong arm of eminent domain in order to facilitate their needed development, their wanted growth. We want to assist Heinz but do they really need to have the kind of financial assistance, I think not.

As I look over the ALCOA deal and some others, I think maybe we should have been more clearly and more strongly concerned about the financial health of our city operating budget. Because I don't think anybody over there is looking at the city operating budget, at least of which our new Finance Director. So I would say that regardless of what bill is passed today, it really goes down to the backroom meetings of the Murphy administration. They are the first ones that meet privately when these deals are being put together. And it is going to come down to what is this stance, what is the philosophy and what is the tact of the Mayor, Deputy Mayor Cox, Mr. Leeper or whoever? If their stance is we have an open checkbook come and get us, that's unfortunate to have somewhat has been happening.

Now I am supportive of an ordinance because I think that needs to change it. I was hoping it would change by Merrill dictate and it doesn't seem to be happening, so I think there needs to be some kind of an ordinance.

Now Councilman Udin I think could legitimately make a significant philosophical debate here on the legitimacy of a specific, not a goal, but a

requirement of 35% for a TIF as opposed to the general Pittsburgh Works ordinance. Because the TIF is a clear, you know, commitment of tax dollars back to assist the major corporation at the expense of every other business and resident who is paying their taxes fairly and squarely and equitably. A TIF disproportionately if you look at the revenue package, its disproportionately city and School Board revenue foregone, and a very smaller part county revenue.

So I think you can philosophically say hey if we are going to be giving money up, is it too much to ask for 35% not goal but 35% legal commitment. And obviously we don't want to tie the hands of any company in the hiring practice. If there aren't qualified, bonafide residents then I think we have to address that issue. Maybe both bills can address that and it needs to be addressed through the community employment initiative, the work of Director Parees and Mr. Painter and others on the job readiness and training and all that mobilization work. But in the end, I don't care what ordinance we pass. It is still going to come down to how they put the deal together. If the Heinz deal is any example of what they operate under, hold on to your checkbook. Hold on to the fiduciary health of the city.

So I am a little torn on this issue. I am not torn on the Pittsburgh Works, because I opposed it. And I oppose the rhetoric associated with this and was going to have a direct impact on employment and construction and Plan B. But on the issue of the ordinance as being proposed here today, I think you could make a strong argument either way. I think Councilwoman McDonald's point is well taken that we need to work in a cooperate

spirit, try this out and see if we can attain the goal. But I also think there is legitimacy to requiring specific employment activity on the part of TIF sponsored projects.

Mr. Ricciardi:

First for the record, I will second the amendment. Secondly, I would like to say I agree whole-heartedly with Councilman Jim Ferlo what he stated eloquently today and what has been stated in the past. And in my own words let me say it is very difficult to legislate jobs. I think it is easier to work out agreements slash deals with businesses and corporations regarding the hiring of city residents.

Let me also say that I appreciate the passion and the hard work that Councilwoman McDonald has brought forward on this issue but as a courtesy last week I did abstain on the bill because I have some grave concerns. Let me say that I think the late Honorable Richard Caliguiri understood something that was very important to taxpayers and city residents. That was the question of employment and at that time in 1984 he had a cooperation agreement between the city and the URA called the first source hiring agreement which mandated 50% of the jobs that the URA was involved with private corporations would go to city residents. I have been thinking about this and as I have stated before, let's take a TIF for example a tax incremental financing package. And its been often said in these chambers by the county and by others that everyone is a partner in a TIF. They always brought out that the Allegheny County is a partner in the TIF, that the county taxpayers, that the School Board is

a partner in the TIF and so are city residents.

So for example if we have a tax incremental finance packaging tool that is brought forward and if you live in one of the surrounding suburbs, maybe Whitehall or Brentwood, O'Hara Township, Monroeville, Robinson, Kennedy Township and the project is going to be located in the City of Pittsburgh, it is true that you are a partner in that TIF by foregoing your county taxes. But, colleagues, if you are a city resident and you live in the Southside or Northside or in the East Hills or in Knoxville or in Beltzhoover, you are a partner three times, three times. You are a partner in your city taxes being foregone, you are a partner in your city School Board taxes, but you're also a partner in your county taxes.

I mentioned this several times in the past that city residents are also county residents. So if city residents are county residents so you're a partner three times. You're foregoing three parts of your tax. So why shouldn't there be a mandate of 35% or even 50% of the jobs going to city residents? Because you could take it another step, once that corporate headquarters or office or that corporation or business is located in the City of Pittsburgh, don't forget now we are providing services which we all support and I support. But we're providing services for our infrastructure repairs, for renovations to other facilities, Public Safety Services of police, fire and paramedics. So now we become a partner one more time, not only are we foregoing our county taxes if you are a city resident, your School Board taxes if you are a city resident, your city taxes obviously, but now you're part of the operating budget.

You have become a partner providing services. So first of all I have sort of a problem with everything that has been presented today. I say why should we lower our expectations of Mayor Richard Caliguiri's mandate of 50%? It is true we haven't reached it. Councilwoman McDonald is true.

But how much energy have we put into it? I don't believe the previous administrations maybe even including the Caliguiri administration to a certain extent did not put enough energy into it. And I find it very difficult to believe that Mayor Tom Murphy would veto a mandatory 35% when people say the administration, with all do respect I am not sure who are they speaking to? I find it very difficult that Tom Murphy would veto a mandate of 35%. I think he would support it. I think he would support it because I think he hears the calls from city residents that are looking for employment. I think he will support it because he sees the subsidies that we're putting in three times, city taxpayers are county taxpayers. If you are in Bethel Park, your only a partner once, if you are in Southside you are a partners three times.

So I am saying instead of lowering the expectations in all due respect to Councilwoman McDonald to a goal of 35%, to a goal of 35% why don't we keep the expectation there and work towards it. Because as you lower the 35%, it might be pleased with five or 10%. As you raise it, you're going to create a bigger percentage. And now as you lower the goal to 35%, I don't think anyone can deny the fact that there has been disadvantaged groups out there, minorities, women, black and white, that have not been able to take part in city employment. And as you lower the goal

even to a mandate of 35% or even worse with all to respect to a goal of 35%, I think minorities and women are going to have a much more difficult time finding employment.

So obviously I would support the amendment before us because it requires us to attain and maintain a workforce of 35% city residents within the corporate community. Remember that come to the table. That come to the table. We're not asking them to take part in this program. They're asking us if they can take part in one of our programs. So why shouldn't we set the rules? I will support the amendment before us even though I am unhappy that it even drops it down to 35%. I think it should stay at 50%.

I would just close and say this, that Mr. Ferlo is right, with that beard, professor Ferlo is right. The professor is right. It is difficult to legislate jobs. We should work out the agreements. But let me also say let's not turn this into a goal and have a goal of good faith is it called? I forgot the word that is being used around the City of Pittsburgh for all these dimes and I will have to look at it in the bill, best effort. I think the best effort in the past hasn't work. And now we are going to make it a goal. I think if this bill passes today intact, I think we're going to see less city residents working the jobs. It would help the corporate community Southside Hospital before it became UPMC Southside I am not sure what their hiring is now but the Southside Hospital over 50% were city residents. Because they found that during bad weather they were at work. And they missed very few days because they could walk to work and they had pride in the Southside Hospital because it was in their own neighborhood so they

were very pleased to do a good job for the hospital. So I think requiring, mandating, maintaining 35% of city residents within a corporate community would be business friendly.

I will close with that and just say and I will support the amendment before us even though I wish it was 50%. I did abstain last week because we do our best to reach out to our colleagues when they sponsor bills, but Councilwoman McDonald, I just think that this would be taking us down the wrong path.

Ms. McDonald:

I didn't know this was going to warrant so much debate. Now that you want to debate it, let's debate it. First of all to mandate something as such where you have to have 35%, what is going to be the penalty if they don't attain it? What are the circumstances that would enter in that could warrant a company not being able to attain 35%? What are you going to do to them? Take back the TIF? You can't take back the TIF. You are so entangled in financing and issuance of bonds and legalities I guarantee you, there is really no remedy if they don't attain it. So that's another reality check. There is no penalty if they don't attain it. You can take them to court. You can do whatever, but I just think it would not benefit us. It would just be a mess.

Another thing in terms of what Councilman Ferlo said when he pointed out ultimately it is going to -- it is going to be done behind closed doors. The administration as the executive branch is going to have to sit down and make sure that these companies understand that we really mean business that's where it is

really hashed out. I agree with you, Councilman Ferlo, and that is why the bill is written as such and that is why we, Councilman O'Connor and myself, have worked with individuals from the Mayor's Office on this. But the one -- when you say legislation having teeth which is what Councilman Udin is trying to get to is the teeth, it may seem not very harsh, it may seem to lack the teeth, but the teeth is no different than a CRB. A lot of people complain the CRB doesn't have teeth. The tooth that is there is that it is a public forum. All statistical data will come back to this Council body as well as the Mayor. All statistical data will be formulated and compiled by our City Controller, a public entity, accountable to the public. So if a company decides to thwart any efforts as far as the condition of this TIF in terms of employment goals, in terms of working with the Department of Personnel, neighborhood employment centers, etceteras, that will be made public, that will be an embarrassment, publicly.

There are penalties, etceteras, for filing fraudulent claims, for not filing, for missing the information, there are checks and balances there to insure that whatever entity is signs on to this TIF with this condition that they're held accountable. The public is your biggest I would say your heaviest accountability measure. When you have to be accountable to the public, to the media, that is a heavy issue right there.

A mandate as Councilman Ferlo had said, let's see how it works out. That's what I would ask. Support the legislation as is, see how it works out, mandates can be made at a later time. You can always make a mandate. You can make a mandate in September if it doesn't look

like things are working out. But I would prefer that we at least see how it works. If it works any where's near the PNC bank, I would say we have an excellent piece of legislation because they have superseded the 35%. Mandates can be made later if it doesn't work out.

In terms of what Councilman Ricciardi had talked about, during the time of Richard Caliguiri, we can go even further back, David Lawrence all that, we had a whole population of people. We had a million people here in the City of Pittsburgh. It was the third largest corporate community. Third largest. We are not like that now. This is 1999. We're so different than we were decades ago it's pathetic. We don't have the population. We don't have exactly the same talents. We don't have the same corporate structure. Things have changed. We can't do it like it was done back then. Why can't we do it now? Because we can't. We have a different community altogether.

Indeed I think we are second or closely behind Day County when it comes down to an aging population. We're not talking about people ready to work we're talking about people ready to retire and play golf. So you're not talking about a real strong workforce. We have to develop that workforce. To all my colleagues, you know this. We don't have the workforce that the corporate community really needs to grow. That's a fact and I would challenge any of you all to dispute that, you know that. The only way we're going to have a grow is we're going to have to import people here. We have housing, we have along North Shore, we have Washington's Landing, we're growing to have Nine-Mile Run. We can talk about all the housing development to

attract middle to upper income people here. People that have beyond living wages, people that are raising families, people that want that quality of life here. We have to have an environment for them and build that environment. We are doing it now. We are in the process of doing it now. With theaters and all the amenities that I think people that family generation would want. But they're not -- you don't have it now. You don't have it now.

Most of the people that we want here don't live in the City of Pittsburgh. They don't live here. The only way we're going to get them here is to provide employment opportunities and import them here, draw them here. And if we can draw them here with employment plus we provide the environment for them, the quality of life here in the city, I think that we will grow. But we have to grow. I think that if we can be heavy handed and have legislation well you better do this. Well the bottom line is, better than do this and the reality of well do you have the workforce here those are two different things. You are comparing apples to oranges. This legislation again mandates that any entity that seeks public money will be accountable to the public in terms of their employment by the submission of certain reports, it will be a public document. It will be reviewed by this Council body, by the Council body. We have to be diligent in working collaboratively with our corporate community and we have to grow.

Again, guys, second behind Day County, we don't have a workforce. That's a no brainer right there, we don't have it. We have to build it. How are you going to expect a big company to -- you are going to mandate them 35% employment when

there is a lack of the employment workforce here. That's why we have to bring in the Department of Personnel to help, to help. And that's the only way it's going to be done.

The last thing I want to say with this legislation, we don't know sometimes where we're at we always talk about we need people to get to work. But we don't really understand the skills that are needed, with this if a company is having difficulty attaining that we will know where our weaknesses are. We will know the demands so that we can work on the supply. There is a demand and there is a supply. I know we don't have the supply but we have to be very concrete as to what the demand is. We have to be clear. This way we will know what the demand is. We will know what they want and we will be able to try to work to generate the supply that they would need.

So again I would urge that this not be a battle, that this not be politicized, because right now I do think it's being politicized. I have worked with Councilman O'Connor, the corporate community, I have worked with the Mayor's Office on a piece of legislation that is doable, feasible, acceptable. I think that we will have good results coming out of it. I just ask for the support.

Mr. Udin:

Well Mr. President, I am almost sorry that I introduced the amendments. Because I am watching lawmakers for the city turn their backs on history. The history of lawmaking by civil rights movements, the women rights movement, the human rights movement. The lawmakers who knew that in order to

establish a clear policy it wasn't a question of being heavy handed, it wasn't a question of lack of cooperation, it was a question of establishing policy. That's what lawmakers are elected to do, to establish policy. And so many of the rights that we enjoy today would not have been passed if all we did was ask requirements, ask people voluntary cooperation. That was not what we were elected here to do, we were elected here to establish policy that is in the best interest of the city. Whether or not special interests agree with that. That is our job, to establish the best interests of the residents and the taxpayers of this city. That is not heavy handed, that is not a lack of cooperation.

I am watching some of the most gallant and articulate spokespersons for that now argue against policy and argue in the favor of having the administration do what it is our job to do. That is what we were elected to do.

First of all, let me request that you, Mr. President, ask for a letter of legal opinion from the Solicitor as to whether or not TIF's are not in fact loans and therefore are subject to the terms of the first source cooperative agreement, that's number one. TIF's are financial arrangements in which the city uses its debt of future taxes to sell bonds. They take the money from that bond, loan it to the developer and the developer pays back the bond debt service over ten, 15, 20 years. If that's not a loan, I don't know what is. I would like a legal opinion regarding that.

One of the reasons why if you saw a TIF package at the end of all of the agreements, a TIF package may be three or 400 pages. Why is it so many pages? Because it is page after page after page of

requirements. They don't voluntarily pay back the TIF legislation, they're required to pay it back. They're required to adhere to every single term in the three or 400 page document, three or 400 pages of requirements. Not voluntary requests, requirements. That's what business is all about. I don't know what business people are talking about when they're talking cooperative agreements that are not required. That's what our job is all about, policy, requirements. That's what changes things. The people who are coming in for example to do the market place and Fifth and Forbes they are largely people from national and internationally owned chains who don't have any allegiance to Pittsburgh. They don't have any allegiance to the residents of Pittsburgh and care very little about whether or not the residents of Pittsburgh experience high unemployment pockets. They care about their own bottom line. Why would they go out of their way to hire residents of the city unless it was part of the three or 400 pages of requirements. Why give them requirements on everything else but when it comes to the interest of the residents of the city, we ask for voluntary cooperation?

Voluntary cooperation obviously has not worked that's why we're here discussing this matter. The only penalty that exists in the current legislation is a penalty for not submitting a voluntary plan. That's the only penalty here. I am really surprised to see us licking the boots of the administration, at the administration's threat of a veto. Running to get the administration's permission to establish policy in the best interests of the city. Let the Mayor veto it. Let him explain to the residents of this city why he is vetoing a bill that would require that they have a fair opportunity for

employment, yes let him veto it. And explain that to the residents as he runs for re-election. I dare him.

As to the city not having the workforce to fill these jobs, that, Mr. President, goes over the top. Last week I pointedly asked and repeatedly asked Ron Painter who runs the city's JTPA program whether or not the workforce of the city is such that it needs the 50% to be reduced to 35%. Or do we have the workforce that needs the jobs and will take the jobs if they had the opportunity? He said we do have the workforce. He said we do have the workforce and the workforce needs the employment. So where the information came to Ms. McDonald that we don't have the workforce or that the workforce does not need or desire employment in the City of Pittsburgh, I would like to see the source of that information.

According to the City's Personnel Department we do have a workforce and we have a very fine workforce. We have a workforce with a good work history and a good work ethic and given the opportunity for work, they will appear for work, they will show up for work, they will come on time and they will put in a good days work for a good days pay. That's the workforce of this city, that's the history of this city and they're still here. All they need is for their elected officials to have the courage to make requirements in their best interest. That's what the works force needs. This is a simple amendment that would put some teeth into another wise toothless piece of legislation. I encourage its adoption.

Mr. Ferlo:

I am convinced by Councilman

Udin's argument in this proposed amendment here and I wanted to support it and I would ask my colleagues to support it and to consider it for two reasons. Maybe even a little different position here. One is I think given what we have seen over the last ten or 11 TIF's its been very ambiguous the employment benefit of the city residents has been ambiguous at best. Probably in the more recent Heinz situation there is at least a clearer understanding of what their payroll is relative to city employment. That has not been the case in many of the TIF's that we have already approved. I think we need to give the administration an explicit legal requirement and explicit task. Because I don't think they from a fiduciary point of view, and from the point of view of making the best deal, I don't think they have always started out the process negotiating in the best stance. They have always started out opening up the checkbook with the attitude come and get us. I don't think they have been good arbiters and negotiators in the presentation of the TIF deals that have come to Council.

I think it is time at this point to give them an explicit requirement a legal requirement, explicit task and achieve meaningful employment for city residency. So I think the 35% not as goal but as a legal stipulated agreement is a reasonable position. I think we should be supportive of it this time.

The second fundamental reason is timing. We are already 12, 13 TIF's into this situation. The previously agreed upon TIF's will not have this legal requirement, they will continue to be this nebulous evasive goal hoping that we get employment for our residents. So I think

to some extent the timing is important here because it is really time to reel in the TIF's to some extent. We didn't do this from the beginning. It is not unreasonable that ten or 12 TIF's into this now, three, four years into this that we would impose this explicit requirement.

I think Councilman Udin has made a valid point here also. So I would say that recognizing that it is already too late to require this on the PNC project, post employment or the Mellon Bank or ALCOA or countless others that we have already approved. It is not so unreasonable given where we're at in the history of this administration, we're we are at in the financial portfolio of TIF's, as they come into being in the City of Pittsburgh. So timing is also a critical factor here. I think it is not unreasonable because we have to start reeling in the TIF's.

I don't know that we can afford financially to just continue in the manner in which we handed out TIF's. They pretty much have been handed out. Because the basic mentality now among the business community and the corporate community in the City of Pittsburgh is you know damn the torpedoes full steam ahead we want our TIF. We don't care what our financial health is. I mean we have Heinz a billion-dollar corporation now they are groveling from crumbs at the city's river banks and demanding ten million dollars plus in city taxpayers. I am for the eminent domain but do they really need the package that we're offering? A package that also would require me to give up streetface money for neighborhood business districts for Heinz? No, I am not voting for that.

I am going to support the initiative

to bring closure on the acquisition of the property, but I don't like the other aspects of the deal. So I would ask Council to be supportive of the amendment here today. I think it is reasonable and for those two closing reasons I think the administration needed explicit legal task requirement that they have to fulfill going into the negotiating table with these companies for future TIF's. Secondly, we're not at the beginning. We have emptied out the city treasurer for the next 20 years in the 10 or 12 TIF's we have already approved. I don't think what is being proposed here today by way of an amendment is unreasonable.

Mr. Cohen:

We have been arguing policy here on both sides but what we haven't argued either way is the law. I am open to be educated on this. But my understanding and I take this understanding really from Councilman Udin's Pittsburgh Works legislation as I thought that we had an opinion from our Solicitor that having a requirement of a certain percentage is unconstitutional. Where as having a goal is not. And I thought that was the reason at least with respect to Pittsburgh Works, which is the clearest analogy that we have, I thought that was the reason why the requirement was changed to a goal.

As I said I am open to be educated on that if my recollection is different from others, but my understanding is to actually have a requirement an out right mandate of 35% or any other percentage does not pass constitutional muster. We don't have obviously the time here to get a legal opinion since this is the last day of Council's session before recess and obviously a final vote on this bill but that at least is my recollection. That's my

concern. I will be happy to hear from Councilman Udin.

Mr. Udin:

If I may, Mr. President. Thank you, Mr. Cohen. The difference is that the constitutional challenge comes when you make specific reference to race and gender. And there it was changed from a requirement to a goal. Or in the language that is being used in most current parkland is from a quota to a goal. But it is clearly established by the Solicitor's opinion and by all of the legal case law that we have looked at so far that cities do have a right to establish a residency requirement and that's what we are referring to here.

Mr. Cohen:

Thank you.

Mr. Ferlo:

We're just talking about a contract between two parties. I think it is perfectly legal if the other party accepts the money and the condition of residency I think it is basically an agreement, a contractual agreement.

Mr. Onorato:

I just want to chime in a little bit here. I am not questioning the legality of doing this. There has been a lot of good debate on both sides of the issue. However, I will vote against the amendment, I just want to state why. It has been consistent with my policy through this last two or three years we have been debating these issues, I personally think that it is a dangerous precedent to set. I will continue to say that

when we start getting into this parochial game.

I understand it, it does sound great and it sells well even in my neighborhoods. However, in this day and age where the public financing of these types of developments, not just in the city all around the county, the mixed bag of public dollars from the state, the county, the federal government, the local municipalities, I don't want to get into this parochialism of putting resident requirements for each municipality. I don't know if it will lead to that, it could lead to that. I know that you have developments going on right now along the river. In Homestead, there is a lot of public money going on there. They are using local TIF's among the three or four municipalities there.

I have always pointed to the development at the airport, which has a lot of public financing there and local financing there. I don't want to get into having those municipalities putting up arbitrary residency requirements. But I know a lot of residents in my district and throughout the city that do not work in the City of Pittsburgh and they work outside the City of Pittsburgh. And they work in companies and for governments and for institutions that receive public money. I don't want to start fighting each other when we're competing on a global scale now within this county. We're saying okay well my municipality should give this many, well my municipality should give that many. I don't think it is healthy for this city or for any municipality to go down that road.

I understand the arguments for both sides, I am not arguing the legality of it. I

personally, this is one councilman that thinks that it is a dangerous road to start down. I would argue that instead of tying it to the dollars we start looking at more as a region of development in this region. I just point to the Plan B money, regardless of where you are on that issue which stadiums and convention centers you look at, the money that came in there, the city I believe made out big time. We have very little city money going in there. You have a lot of state money going in there, you have a lot of RAD money which is county money in there. I think as a region we decided to put them in the center of this region, which happens to be the municipality of the City of Pittsburgh. I think we benefit for that.

You can point to example after example after example where we are sharing together if it is the Phipps, the Aviary, the zoo, where we are using RAD money, the libraries. I mean we are in this with everyone else in this municipality. I mean in this county, and this region. We are sharing resources. I don't think it is time now to start saying okay we are going to put up arbitrary residency requirements when in fact in the long run it might backfire on us and I am concerned about that.

The Chair:

Can I have one final word, my little two cents and then I will let you finish it. Actually here is what I will do. I see a very close vote. I am going to abstain today on the amendment. I will tell you why. I have a lot of respect for the author of the bill. Our office worked at least on the initial part but, Mr. Udin, some of the points you bring up, I agree basically whole-heartedly. We have some

questions. We put in at least when my office was working a little more closely, we kind of lost it at the end there, we wanted to put a fine. If you didn't hire X amount of people this goal, we wanted to fine you \$5,000, \$3,000, whatever that money that number that you weren't adhering to the bill.

We could not really make a change because the TIF, the bonds and all that were already in motion so you couldn't bring back the TIF once that is signed. And everybody comes to this table, always agrees we are going to hire city residents. So I believe we have to put as much as teeth as possible in it.

The reason I will abstain today and I will probably support your bill and maybe even make it stronger is because you brought up a very good issue. If Mayor Caliguiri 15 years ago said 50%, I believe that 50% is law right now for TIF's or anything else. So I would like to see a legal opinion on that. So it would make it retro active to all the things we have been doing. So we could even be higher than 35. If the 50% is legal and that's what you're asking for, I think we need a legal opinion on that. We also need a legal opinion on how can we fine the people that don't agree or don't work on it. The people who make mistakes and paperwork mistakes, we don't care about that, we want people to work. I think the opportunities are out there. Maybe we can get a lot more with what you are talking about. I think Ms. McDonald was very close, we had it, maybe the administration is soft pedaling, they are afraid of chasing away some of these TIF's again. I think if we had in hind sight, we probably could have done away with a few of these TIF's because right now the flood gates are open

and I don't know how we can slow it down.

Also, I believe the administration is dragging its feet on our legislation for a study. We have a group from CMU we have a figure, they are debating the figure, over \$30,000 to find an answer here to have a common goal that we all agree on a TIF. If this TIF study is out pretty soon, by the time we are back, I will have my own TIF legislation. I think I will make it a lot stronger, a lot tighter before we can get TIF's. So what I am asking for out of respect to the author of this bill, to put her bill in but we do have questions and concerns. Also on a positive note of what you are talking about, it can be 50%, maybe 50% is the law already. We can go back to all the companies who have received a TIF and I believe they would have to be holding to this.

I do have one concern too on the, I think the 35 or 50 is easy for new hires, no matter what company. We have a big TIF coming at Gimbles, we are moving over 400 employees to keep them in the city. Again, I don't know the numbers of how many live in the city, but definitely new hires especially clerical, administration jobs people can be trained for those and 50% is an easy goal. I don't know that the 35% of a total company is achievable in a couple of years. I have a problem with that. That may tie their hands a little further depending on their number -- if their numbers aren't too good, but at least a positive note is how do we -- if they are going to move forward, they have to hire 50% Pittsburghers unless they can prove otherwise. If they are not trained, we don't have the proper procedures here in our school system, whatever those excuses may be or good reasons and if we have

them we can always go back to our schools and do something about it.

So I believe in the spirit of things. You asked for a couple of legal opinions. I agree with you. I think we can even make your amendment much stronger. It could be 50% and we also have to find out why that 50% hasn't worked.

Mr. Ferlo:

I would just ask the President, to take a position because I think whatever we do we should do with a clear resolve to the administration. I think we are going to have such a split vote here. I would ask that we consider recommitting the thing until we actually come to some consensus. We send such a misguided or split headed message to the administration, I don't think we are going to get any further ahead on the jobs issue relative to the TIF.

The Chair:

I would like to see a 9-0 vote but I think if we work at it we can get a 9-0 vote. Right now we are going to get a 5-4 or 4-4 and I would ask either Ms. McDonald to one of you to either your bill or hold it for when you get back and we make it stronger, recommit it.

Ms. McDonald:

Thank you. Waiting for the last word and I would hope that at the end of my remarks I will call the question. On the amendment, I would ask for the amendment to be withdrawn seeing that people are split. I wish you had -- well Councilman Ferlo wasn't even in town last Wednesday and in deference to you not even being able to be at the table to

discuss issues and I know that you're clear, I know where you're at Jimmy on this. So I would ask for a recommitment for someone like you to be able to come back to the table and at least ask the Solicitor's Office, officials with the administration.

What I will be doing is asking first for a recommitment and then I will ask to have a motion to cable cast a post agenda. I cancelled the post agenda for July 26th I now feel that this Council body needs a post agenda. A post agenda will be conducted to discuss the particulars of the bill in detail. You will hear from many facets of the community. In terms of what they feel about this bill and why it is feasible versus not feasible. What can be not strengthened and what can be strengthened. In other words the reality check will be there at the post agenda.

So I have no problem with recommitting this, my bottom line is this, the bottom is this, I am not here to make the papers. I am here to make sure people get jobs. I am here to make sure that there is employment. I am here to work effectively with whatever party I need to work with to make sure that the people get the long term employment so if that means a recommitment no problem. No problem. We will recommit and we will hold it in September.

The Chair:

Second?

MR. ONORATO seconded the motion.

Mr. Udin:

On the recommitment, I just would encourage and beg the sponsors not to recommit. We are not at a place where we

need to recommit this bill. We are at a place where we need to go forward with this. The difference is whether or not the beneficiaries of loans to the city, or financing from the city will be required to hire city residents or may have it as a voluntary goal. I agree with Mr. Ferlo and I would hope that the President would just help settle this matter and take a position. We can get the legal opinions later but we need a clear mandate from this Council and I think we need it today.

I would encourage us not to recommit this bill, let's vote it up or down. We're grown-ups if we disagree on matters then we just disagree. There are a lot of issues that have come out of Council that were not 9-0 mandates. We can handle it, if we're big kids. Let's vote it up or down.

Ms. McDonald:

Again, I am asking for recommitment so that my colleagues can discuss this in detail. I don't think one month is going to kill us. And I don't think -- we are big boys and girls and as big boys and girls we need to understand that we need to have an informed decision. One month is not going to kill us. I don't see what the fear is in getting the information, hearing the particulars. If there is fear in that, I would like to know what that's all about. This is not a political issue; this is an issue about employment. If we don't want employment then we're going to take that stand up or down. I am not here for -- I mean we combined so many issues here. In terms of TIF's, and Pittsburgh Works and this or that, this bill is about long term employment, that's all. And I just want to make sure that we get the support from this Council body to make it happen. That may mean amendments I don't know. Let's

see in September what will happen. We will be back in September. We will revisit but the one thing I do want to say is that I think that I am not politicizing this. I am not politicizing this. It is not a political issue. All I am doing is trying to be an effective elected official. I resent the notion of being --

The Chair:

I am going to --

Ms. McDonald:

Excuse me. Thank you. I resent the fact though, Councilman Udin, that there is a personal inference here in terms of turning our back. I do resent that. I will say that publicly. I have never turned my back on people that need the help. In fact my office is inundated with calls from people who are constantly needing help. We give them whatever help we can. We bust our rumps giving people help. So I don't turn my back and I appreciate I have never you know on this Council body I have never really attacked the integrity or the motif of the individual with the bill. I attack the bill, I attack the issue, and I keep it at that. I will continue to keep it at that level, not this level.

So again I am not turning my back on anybody. I don't feel and I am sure that my constituents will say that I am not being an effective leader because I do it a different way. We all do things a different way on this Council body. All of us are different. I respect the differences in how we operate. I stick to the issue, the bill. If you feel its toothless, fine. That's okay. That's not personal. There are many bills that I feel are toothless. There are many things that I want to achieve, that I can't

get. I may not get the support. Councilman Ricciardi had a living wage bill, he is still fighting for it. That's the reality. So again we all do things different ways.

I will just appreciate if we just stuck to the legislative piece before us and deal with that. Again, the motion is to recommit for September and I will follow up with a motion to hold a cable cast post agenda.

Mr. Udin:

Point of personnel privileges, Mr. President, let me clarify to Councilwoman McDonald for whom I have tremendous respect. I did not say and certainly did not intend that you had turned your back on your constituents or the people. What I said was that this legislation would turn it's back on the history of mandating policy and requirements, that's what I said. I did not say that you in fact I did not mention you at all. I said this legislation would be turning it's back on a history of mandates by policy and legislation rather than voluntary commitment. That is just to clear the record and to make sure that there is no personal reference intended on my part.

Secondly, I certainly cannot speak for Councilman Ferlo. I know that when I am out of town I stay very closely in touch with what is going on in Council. I come back fully aware and prepared to act on any legislation that I am required to act on. But if Mr. Ferlo feels that because he was out of town he's not prepared to go forward, I will certainly support a recommitment.

Mr. Ricciardi:

Mr. Ferlo missed one meeting in ten years, and it is Council's point of discussion.

Mr. Ferlo:

I can count the votes, I don't want this bill to pass. I would rather vote for a recommitment in hopes of making a more bill to my liking.

The Chair:

I believe --

Mr. Ferlo:

The President can change his mind and vote yes on the amendment, I wish my beard was thicker.

The Chair:

Here is the benefit, let me tell you the benefit and then -- the benefit is to put more teeth in it, to have a penalty. The benefit is to have a possibly 50% instead of 35%. The other benefit is to make the TIF's retroactive. So I think within one month, there could be a lot learned and a lot gained for the possible employment of Pittsburgh and making your bill stronger. We do have a motion on the table to amend. Mr. Udin, your motion is still on the table, to amend, the floor.

Mr. Udin:

I did a parliamentary point of clarification. I was just trying to get an answer from Mr. Ricciardi, but I should have been addressing the chair. If the bill passes to recommit, how does that effect the amendment? Are we free to vote on the amendment despite the recommitment of

the main bill?

Mr. Ricciardi:

The amendment is on the table first.

The Chair:

Is there a second?

Mr. Udin:

Then the only bill before us is the amendment, not the bill to recommit is that correct?

Mr. Onorato:

That is correct.

Mr. Udin:

The only bill before us is the amendment? Call the question.

Mr. Ferlo:

Unless the person who made the amendment or the second wishes to withdraw, which I don't know is the case.

The Chair:

Do we have a motion to withdraw the amendment or the second?

Mr. Ferlo:

So we have to dispose of the amendment.

The Chair:

So we are trying to. You wish to have the amendment still on the table? Call the vote, roll call vote on the

amendment.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Ricciardi	Mr. Udin

NOES:

Mr. Cohen	Ms. McDonald
Mr. Onorato	

(Mr. O'Connor, Pres't, abstained)

The Chair:

Amendment fails.

Motion to recommit.

MR. FERLO seconded the motion.

The Chair:

Roll call vote on the recommittal.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bill is recommitted.

Ms. McDonald:

Motion to cable cast a post agenda in September.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Any other bills to be discussed? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1906:

Report of the Committee on Public Works, Water and Environmental Services, for July 28, 1999, transmitting a sundry of resolution.

Bill No. 1848:

Resolution granting unto Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a projecting window and identification sign over a portion of the sidewalk at 2525 Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1849:

Resolution granting unto Michael F. Healey, 1819 Sarah Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, two bay windows and a roof canopy over a portion of the right-of-way of 1824 Carey Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1850:

Resolution granting unto Port Authority of Allegheny County, 2235 Beaver Avenue, Pittsburgh, Pennsylvania 15233, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a roof canopy over a portion of the right-of-way of Liberty Avenue between 6th Avenue and Wood Street and to place (6) six benches on the right-of-way in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1851:

Resolution amending Resolution No. 95, approved March 10, 1998, effective March 16, 1998, entitled, "Granting unto Seddon and Frances Bennington, their successors and assigns, an encroachment to construct, and maintain and use at their own cost and expense, 2 Banner Signs and 3 Canopy/Awnings on Liberty Ave. in the 2nd Ward, 6th Council District, of the City of Pittsburgh".

Which was read.

Also,

Bill No. 1853:

Resolution accepting the dedication of Gateway Boulevard and Riverfront Boulevard in the 16th Ward, 3rd Council District.

Which was read.

Also,

Bill No. 1854:

Resolution changing the name of Randall Street from Gladstone Street to Moon Way in the 15th Ward, 5th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1857:

Resolution vacating a portion of S. 25th Street from Sidney Street to its northern terminus at S. Water Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1894:

Resolution further amending Resolution No. 357-99, effective June 10, 1999 entitled, "providing for a Contract or Contracts, or the use of existing Contracts for renovation and rehabilitation of war memorials at various locations throughout the City of Pittsburgh, and providing for the payment thereof" by decreasing the amount from Sixty Nine Thousand (\$69,000.00) to Sixty One Thousand Five Hundred (\$61,500.00) Dollars, chargeable to and payable from Account 525500, Org.400000, Fund 5100, Sub-Class PGHPR, Project Number 2238450, Budget Year 1999, Department of Public Works.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

I apologize, was Bill 1853 read? Let me just take a moment to see how it was amended by Councilman Hertzberg, if I may. He amended it properly where it states I want to make sure this is part of the record. This is a resolution accepting

the locations of proposed rights of ways it is not accepting dedication of them. The next sentence is very important because if you read the first sentence of the bill it mentions the names of the proposed highways, Gateway Boulevard and Riverfront Boulevard, that really should be stricken because the amendment says the names of the streets shall be determined in the future. Anything in the resolution inconsistent with this amendment is superseded. So I want to make sure for the record, it really should be stricken. So should I do this by voice, Linda Johnson Wasler or does that amendment made by Mr. Hertzberg take care of it? Those streets are not named.

Mrs. Johnson-Wasler:

That supersedes anything that is in the legislation.

Mr. Ricciardi:

Anything in the resolution inconsistent with this amendment is superseded.

Mr. Ferlo:

Let Mr. Ricciardi waive the rules to make the motion to make more clear the resolution so that the department of public works is not confused about the naming of any streets.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Udin:

We debated the other bill so long I am not sure that we realized did we

complete the Penguins financing package? We passed that as part of the --

The Chair:

I believe that is in your committee, yes.

Mr. Udin:

As well as the Heinz package?

The Chair:

No, the Heinz is in zoning.

Mr. Udin:

The Heinz package is coming up? Thank you.

Mr. Ricciardi:

So I thank Mr. Ferlo for making the motion to suspend the rules. At this time in any parts of the bill, if Gateway Boulevard and Riverfront Boulevard be stricken.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Ferlo Ms. McDonald
Mr. Onorato Mr. Ricciardi
Mr. Udin Mr. O'Connor
 (Pres't)

AYES Six NOES None

Bills have received the legally required
number of votes and have passed finally.
MS. MCDONALD PRESENTED:

Bill No. 1908:

Report of the Committee on Housing,
Economic Development and Promotion
for July 28, 1999, transmitting sundry of
resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1756:

Resolution approving the River
Avenue Redevelopment Proposal dated
June, 1999, including Modification No. 2
to the Redevelopment Area Plan, for
redevelopment activities in portions of
Redevelopment Area No. 48, River
Avenue, (Heinz expansion), in the 23rd and
24th Wards of the City of Pittsburgh
(Council District No. 1). (HEARING
HELD JULY 20, 1999) (PRESENTED
BY MS. MCDONALD AND MR.
HERTZBERG)

Which was read.

Also,

Bill No. 1757:

Resolution approving a
Cooperation Agreement or Agreements
with Urban Redevelopment Authority of
Pittsburgh to implement the River Avenue
Redevelopment Proposal (Council District
No. 1). (HEARING HELD JULY 20,
1999) (PRESENTED BY MS.
MCDONALD AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 1822:

Resolution approving Execution of
a Contract For Disposition of Land By and
Between the Urban Redevelopment
Authority of Pittsburgh and H. J. Heinz
Company for Parcels 14, 14a, 16 and 17
(Block 24L Lot 92 and Block 24H Lots
169, 168, 158, 150, 138, 136 and Part of
140) in the Twenty Fourth Ward of the
City of Pittsburgh in Redevelopment Area
No. 48, River Avenue, Council District
No. 1 (construction of distribution center
and vehicle parking/staging area)

Which was read.

Also,

Bill No. 1824:

Resolution Authorizing the Urban
Redevelopment Authority of Pittsburgh to
submit a 1999-2000 Application for
Financial Assistance in the amount of
\$2,800,000 to the Commonwealth of
Pennsylvania Department of Community
and Economic Development for the
Community Development Investment
Fund, Streetface Program, and Heinz
Distribution Center Project.

Which was read.

Also,

Bill No. 1825:

Resolution authorizing a 1999-2000 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Communities of Opportunity Program.

Which was read.

Also,

Bill No. 1858A:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 "Capital Improvement Program" by reducing four items in the aggregate amount of \$757,686 and creating a new item entitled "River Avenue Redevelopment Project."

Which was read.

Also,

Bill No. 1858B:

Resolution further amending Resolution No. 1018, effective January 1, 1997, as amended, entitled "Adopting and approving the 1997 Capital Budget and the

1997 Community Development Block Grant Program; and approving the 1997 through 2002 "Capital Improvement Program" by reducing three line items in the aggregate amount of \$26,744 and creating a new item entitled "River Avenue Redevelopment Project."

Which was read.

Also,

Bill No. 1859A:

Resolution further amending Resolution No. 838, effective January 1, 1998, as amended, entitled "Adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program; and approving the 1998 through 2003 Capital Improvement Program" by reducing two line items in the aggregate amount of \$102,670 and creating a new item entitled "River Avenue Redevelopment Project."

Which was read.

Also,

Bill No. 1859B:

Resolution further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 "Capital Improvement Program" by reducing the North Shore Riverfront Development line item by \$267,900 and creating a new item entitled "River Avenue Redevelopment Project."

Which was read.

Also,

Bill No. 1860:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the North Shore East and River Avenue Redevelopment Areas (Council District No. 1) (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1861:

Resolution amending Resolution No. 378, effective July 7, 1997 entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1997-1998 Community Development Block Grant Program, and providing for the payment of the cost thereof" by reducing three line items and creating a new line item. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1862:

Resolution amending Resolution No. 632, effective August 16, 1996 entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of

certain work in connection with the 1996-1997 Community Development Block Grant Program, and providing for the payment of the cost thereof" by reducing one line item and creating a new line item. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1863:

Resolution approving execution of a contract for disposition of land by and between the URA and Brookwood, Inc., and its assigns) for the sale of the eastern portion of vacated 25th Street in the 16th Ward of the City of Pittsburgh Council District No. 3. (Parking) (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1864:

Resolution amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program and approving the 1999 through 2004 Capital Improvement Program" by transferring a project from Engineering & Construction (Art Set Aside) to Department of City Planning (Art Set Aside).

Which was read.

Also,

Bill No. 1865:

Resolution authorizing agreements with organizations, artists, or vendors for materials and construction of works of public art, and providing for administrative/staff costs related to Art Set Aside, at a cost not to exceed \$45,000.00

Which was read.

Also,

Bill No. 1867:

Resolution amending Resolution No. 381 effective June 18, 1999 as amended by Resolution No. 291 effective June 1, 1998 as amended by Resolution No. 362, effective June 25, 1998 and Resolution No. 453 effective August 19, 1998 and Resolution No. 8 effective January 28, 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as reprogram funds in Public Works and Engineering & Construction.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

Mr. President, I am going to talk about the bills relating to the Heinz deal and real briefly that's a lot of bills. Bills 1756, 1757, 1822, 1824, 1860, 1858 A, 1858 B, 1859 A, 1859 B, Bill 1861 and 1862. So it will be a general discussion on all of these bills because, they are all related. Some deal with financing, some deal with the redevelopment plans that is in front of us.

Colleagues, I think I got an opportunity to speak to most of you. There have been some changes since last week. I think very positive changes but I also want you to know that we speak -- there are discussions going on right now with Mr. Kumer and the owners of Pittsburgh Wool and the URA over at the Northside offices of the Pittsburgh Wool Company. I am going to be participating in a follow up meeting later this afternoon to still try to work out a deal here. I told all of my colleagues last week that Mr. Kumer has really brought up three issues that concerned him. The one issue was relocation at the 911 facility or the Pittsburgh Maintenance Garage. We also had the tenants and we also had the History Center issue for the issue that he participates in. I believe we have addressed them all.

They're discussing right now some draft language regarding an option slash right of first refusal for any development that the city might want to initiate regarding the tow pound site. There are heavy negotiations going on around the clock with the tenants. I want to assure

everyone here that that is not being treated lightly. The meeting today, one of the main items on the agenda is the follow up with the tenant's. They are being escorted to numerous locations within the City of Pittsburgh that fit their need, both size and economically. On the average probably ten locations each. The options are there and they're showing them a variety of sites to work it out.

As I reported last week there is \$100,000 committed to the Senator Heinz History Center from the Heinz Foundation and the Heinz Corporation to do something regarding this particular industry. But on the financing side of the deal, I want everyone to at least keep in mind, where we have come. We started out by having a deal that had a million one hundred fifty five thousand dollars of CDBG federal grant money to go into our neighborhoods. As far as this deal and at 1.8 million of state opportunity grant money which goes to our neighborhoods in this deal. Last week we amended the deal to take out all the CDBG federal dollars and replace it with bond money and in that money came from large downtown development projects which will be replaced if it is needed in the capital budget of 2000. We also discussed last week of possibly amending the TIF and increasing it so we can reduce the state money by \$800 thousand with increased TIF money. Since then having negotiations and discussions with Dr. Birru, he came back with a counter proposal which I believe works well for us. I am going to recommend that we accept here.

I hope we have support. That is, instead of increasing the TIF, leave the TIF the way it is in the deal. Leave the state

opportunity money the way it is in the deal the million eight and the county will put in \$700,000 January 2000 to reduce the state money that we are using. In other words, replenish the state money that we're using as opposed to using TIF money.

Just keep in mind that as of Wednesday of last week there was no county money involved in the deal except their participation with the TIF. We are now being offered seven hundred thousand dollars to replenish some of the state money that we are using. There is a difference of a hundred thousand there that we can debate in our capital budget if and how we want to replace some of the state money involved.

I do have a letter in there that I will pull out from the Director Mulu Birru spelling out those numbers the \$700,000 plus an additional 100 on our side if we want to participate. But it is money from the county, which I think is a positive step and it also keeps the TIF below the 10% that Councilwoman McDonald pointed out was a self-imposed limit that we have through legislation. So we stay well within the 10% rule and I would recommend that that is the package that we move forward to.

I also want to just talk in general about the deal. It is very frustrating in this day and age to deal with the public financing that is involved with private enterprises but it is a reality of the day. It is happening everywhere. It is happening in all the states and we are competing with state and county municipalities. I believe this is a deal that is worth supporting for Pittsburghers. When you look at all the TIF's that we voted on to date, I don't think any public financing deal could match the

numbers that are involved with this particular deal 1300 jobs that are in the City of Pittsburgh.

We have a letter here that was sent to Councilman Udin that stresses that the Heinz Corporation has 18% minority participation, has 35% women participation and more importantly has over 35% city residents maybe close to 40 that live in the City of Pittsburgh that work at this particular facility. And there will be some growth involved. We also know that there are other activities going on and other offers out there. That is not being waived over our heads and the Heinz to their credit says they want to make the deal here in Pittsburgh and stay here in Pittsburgh. I think we can do it. But if you compare those numbers and the public financing numbers with the other deals we made, there is no comparison. None of the other corporations or companies that participated with public financing can match those types of numbers.

These are manufacturing jobs, these are white collar jobs, this is a major corporation that is trying to re-engineer on a global scale and anchor one of their three centers here in Pittsburgh. The Pittsburgh region, City of Pittsburgh and there is only three in the country that we are talking about. I would like to be part of that and I believe this is a public private partnership that we should enter into.

I do want to stress for the residents that if you look at the public money from the city involved through the TIF, it is anywhere between three and four million dollars because of the TIF we share with the county and the School Board. But even if it is four million dollars in total, there is over \$40 million private

investment that is coming back on that investment. Our four million-dollar corporation wants to put in over 40 million dollars in infrastructure support over there in this particular facility. While we can debate the philosophical issue over should we be giving any corporation money, I think that is a debate that should be held at the national level because we can't realistically have that debate locally. Yet we have other municipalities and states knocking on the door to relocate. I don't care if it is a sport team, if it is a corporation. We have example after example where when we didn't respond we saw the results.

I will just point out again the Kaufmann's Warehouse on the Northside left the City of Pittsburgh right across the border to Ohio to a facility that was 100% financed by the state of Ohio. We didn't participate in that deal at all and obviously they left. We also got very active in the Giant Eagle Warehouse facility on the West End, which was supposed to go to an area outside of Youngstown but we said wait a second, we want to keep you here. We want to be able to make the deal too and we pulled it off. We participated along with the Mayor, and Giant Eagle just built a major warehouse that services not just this region but the Cleveland area. It is now sitting in the City of Pittsburgh. But it took some public money to get that private investment here.

If you look at the history of this great city from Mayor Lawrence to the current period that we operate in now, eminent domain and public financing and private and public partnership has been a key to both renaissance and keeping businesses and growing businesses here from LTV to PPG to the Giant Eagle

Warehouse. This is just another extension of that policy in recognizing the perimeters that we have to deal with. I think it is the best move for the city at this particular time. Well, I along with many of my colleagues wish that we didn't have to participate this way. I reckon in reality we have to get in the game and play a little bit here not just turn our back on the reality of the world that people and governments are willing to negotiate deals and pull these companies out of our particular region. I don't want to see these companies leave.

I would just stress again that the way this deal came over to us is significantly different than the way it is now thanks to this Council. I want to thank my colleagues for saving the CDBG money that was originally in the deal. More importantly, we now have \$700,000 of county money that didn't exist when the deal came over and hopefully after today we can in the next week or so have a signed agreement and eminent domain will be a mute point. I am personally involved in negotiations. I will give it all my time and effort to get a sales agreement signed. We are being extremely fair if you look at the economics of the deal more than fair to Mr. Kumer and his family and also to the tenants. We will actually pursue relocation of all the tenants within the City of Pittsburgh and that includes relocation of the Pittsburgh Wool Company. But also deal actively with Mr. Kumer to get a deal signed here. No one wins if we go to eminent domain.

Today is just approving the entire deal which would allow the URA to use eminent domain eventually which we would have to do if a deal doesn't get struck. But we have to know and there has to be an end game here where Mr. Kumer

has to make a decision and a decision is either there is a deal to be struck or he just doesn't want to do it. Either way he has to make the decision. I think this is just moving down that timeline.

Today will not trigger eminent domain. I want to point that out. It will not trigger it. There is still a good month lead way here or two week to a month lead way here to get a deal signed, but the process has to start. This is the message that we are sending as a legislative body that we want to try to do a deal here and Mr. Kumer and the other tenants will be treated extremely fairly in the relocation that is required by law. But more importantly everyone here is stressing that point that we want to make sure we don't relocate smaller entrepreneurs or big corporations where we can try to make this a win, win. There is no reason why we can't keep all these businesses in the City of Pittsburgh. They can't all be on the same piece of real estate, which we are fighting over now, but there is no reason why Pittsburgh Wool and all those tenants don't remain in the City of Pittsburgh and be justly compensated. And at the same time work with the major corporation to expand and anchor them in here. That is what is great about our economy. We want to work with the big corporations, the small corporations and keep all of these companies here.

I believe we have an opportunity to do that and this is another step in that direction. That is not an antagonistic move to Mr. Kumer. I have been on the phone with him. I let him know what the process is. He knows the vote is coming forward and he continues to meet with us to try to work out a deal for a compromise on what he wants on those three issues that

I talked about earlier. I believe we can get there. If it was antagonistic my guess is that Mr. Kumer would not want to meet with us anymore. But we are doing everything we can to make this deal work. I know Councilman Ricciardi is going to throw an amendment forward. I wholeheartedly support it because it just reiterates our commitment to making sure that every company is treated fairly.

That is all I have to say at this point. I will entertain Councilman Ricciardi's amendment at this time.

Mr. Ricciardi:

Thank you. Colleagues, if you have an opportunity on Bill 1756 the first page at the bottom it says, where as Council is satisfied that adequate provisions will be made to relocate the displaced residents and businesses without undo hardship.

Colleagues, I would like to better clarify our position. I have an amendment before you that would become Section 2 of the bill, obviously section two becomes section three. I would like to take this opportunity to read it for the record. The city or its acquiring agencies shall be responsible for all damages and expenses incurred by persons or businesses displaced as a result of this project, period. Damages and expenses are defined to include but not be limited to acquisition costs of the acquired real estate and/or personal property, loss of income and relocation expenses.

Mr. O'Connor, I believe the amendment is self-explanatory.

MR. FERLO seconded the amendment

for discussion.

Mr. Ferlo:

I am not sure if it self-explanatory. It may need some more discussion. But I believe the genesis of this amendment is the request on the part of billboard industry who is losing from their point of view three billboards at this site. My only concern is they should be treated like a leasee just like any other business at the site. So to the extent that the URA in this deal is assuming some financial responsibility not only for the acquisition and payment to Mr. Kumer and Pittsburgh Wool, but to the extent that they have a legal obligation to deal with the leasees, and I am not even clear necessarily what that is. I don't know if it is just for the life of that lease, or what. Maybe Mr. Onorato can clarify that. I would consider that the billboard company will be treated the same way as the food vendor or the other companies that appeared before Council.

So if the amendment's intent is to just do that I am very supportive because I don't think it would be fair despite my own views about billboards to treat them differently than any other leasee. If the amendment is ambiguous and it is not clear what it is and from this language if it suggests other things, for instance the billboard industry typically will debate the worthiness value wise of their board. I think there are a number of court rulings on this, this development and the controversy with the Route 51 Cloverleaf. Their argument is you shouldn't just pay us for the loss of the board but what about all the future income that we would have had?

So whatever that legal argument is or position of the URA it should just be

consistent. I don't think the billboard company should receive any more or less than any of the leasees of the Pittsburgh Wool Company. So I just wanted to clarify that. My support of the amendment is supporting on the context of what I just said.

Mr. Onorato:

On that point, Councilman Ricciardi came in and talked to me about this amendment today and Councilman Ferlo brings up two issues here. He is absolutely right and Councilman Ricciardi did address them and that is one that this is not a billboard company specific amendment. You can see that by the way it is worded. And two, the issue of how do companies get compensated including the billboard industry which might be a little different set of rules. But Councilman Ricciardi drafted the amendment to everyone that is involved regardless of what type of business, which would include the billboard business plus they have their tenants. And two, he crafted the language in a way that allows the existing court decisions and the existing rules and regulations that exist to apply per industry. I think that's why this amendment works because it is not specific to any one individual and it allows all the different perimeters to come into play when you are evaluating the damages.

Mr. Ricciardi:

Just as reference to the amendment just for some background information. In the past I voted for the very restrictive language requiring the billboard industry to live by what was sponsored by Councilman Ferlo. So with that as a backdrop you would see that this legislation, I

am sorry this amendment is trying to make sure that all persons or businesses that are displaced are fairly treated. Obviously the billboard industry is one of them. But there is a host of others. I believe that the where as that I pointed out just doesn't do it. Even if you read an editorial by the Pittsburgh Post Gazette either yesterday or today, I think they really hit upon the mark when they say that all three people, all businesses should be treated fairly. They should be justly compensated and I think this really spells it out. Thank you.

Mr. Udin:

I want to speak on the amendment and the bill itself is that appropriate? One, I support the amendment provided that the language includes comments that I made last Wednesday regarding how loss of income is independently verified. Assuming that anybody who is within the relocation district is able to -- assuming that there is a method for independent verification of any loss of revenue, I support it and assuming that this legislation, this amendment also falls with the boundaries of current law then I support the amendment. Secondly, I want to speak on the bill itself.

Mr. Ricciardi:

Point of order. With respect to my colleague, I would rather just take the amendment before we even get to the bill. Because obviously the amendment is, I think, a very important part of the bill. If it doesn't pass, I think it is going to just be another issue that I need to do deal with then.

Mr. Onorato:

If I could address that then, because Councilman Udin's issue is the first thing I asked and I called and talked with Mr. Joe Garity (phonetic) today when I heard about the amendment just to make sure that we were addressing legally what we should be addressing. He assured me that the way this is worded. There is a system that Councilman Udin is referring to that dictates how you evaluate the loss of income and that's all pursuant to the eminent domain or the other taking acts that are in the Pennsylvania state statute which describes how you go and figure out income. So yes this would apply and there is a method, an independent verification of income not the URA's determination.

The Chair:

If I can ask I am presuming they have to, to satisfy them? They would have to find them another location? Otherwise they can say well I will be there for the next hundred years and I make a thousand dollars a year so therefore I need a million dollars. So relocation is probably the key answer.

Mr. Onorato:

Put the pressure on relocation.

Mr. Ricciardi:

On that particular billboard industry but obviously this bill is for all businesses or persons on site.

The Chair:

Right. If they can't find a relocation they could really have a problem.

Mr. Ricciardi:

So maybe we could just address the amendment.

The Chair:

Anything else on the amendment?
All in favor?

Which motion prevailed.

Mr. Udin:

On the bill itself. I just want to for the record correct a letter that was received from Heinz that was cc'd to the administration and all members of Council.

First of all, I want to thank Heinz for being responsive to the request that we made last week to put in writing their commitment to a hiring goal of residents and minorities that is consistent with the (inaudible) that Council has been trying to express over these recent weeks. They have certainly done that.

The first sentence or the second sentence of the letter however should read that there are 18% minorities and 35% women. So you might want to correct the letters to reflect that. 32% of residents of the city, 35% are women, 18% are minority.

My support of the set of bills relative to the Heinz project today assumes that the intention of Heinz relative to minority hiring is to adopt a hiring goal or hiring policy similar to that of the City of Pittsburgh that was determined based on its calculation of the number of minorities available in the workforce, the number of

women available in the workforce, that the city currently has a goal of 25 %. Although Heinz did not specify a goal of 25 % they have indicated an intention to increase their minority hiring upward from 18%. I would hope that that upward motion would continue to be a minimum of 25%. But I am prepared to accept the good faith of Heinz in that regard and this letter as documentation of such.

Relative to the issue of eminent domain, I am pleased to be able to support the financing package that has been negotiated with the URA. I want to thank Councilman Onorato for his input in this process because I believe that his input has helped to move this process forward from what may have been stuck in dead center. I want to thank him for representing his district in that way. I wish that I could get the same support in trying to represent my district with Maglev but we won't go down that road right now.

Relative to the use of eminent domain, I am happy to support the financing package. However, my preference would be in this particular situation I just believe that the use of eminent domain is like using a hatchet to remove a fly from a friend's forehead. I think that it is a bit ominous. I wish that Council had the final trigger authorization in terms of eminent domain rather than just giving it to the URA or giving it to the administration.

The reason is not because I am opposed to eminent domain in all cases, I am not. In some cases, I think it is appropriate and necessary. But when it comes to one single company and one single company against needing to expand and use the space of another single

company like the wool, the Pittsburgh Wool Company, I just think that the use of eminent domain is a bit much. I would rather see a negotiated settlement as Councilman Onorato indicated, when eminent domain is used nobody really wins. He is hopeful as I am that an agreement will be reached and make eminent domain a mute point.

In the event that it is not muted, I want to express my own preference that eminent domain authorization in this case reverts back to Council rather than the right of the URA or the administration to exercise it on their own in their own discretion. In the absence of such a provision I would be voting no on the eminent domain section which would be Bill 1756 and voting yes on the remainder of the related bills.

Ms. McDonald:

Just to be very brief, I want to commend Councilman Onorato for taking the lead in involving himself in the negotiations, deliberations on this whole project. This project is very important to the City of Pittsburgh. I think Councilman Onorato has also taken the stand, not only is it important but he doesn't want to give away everything. That is not his position, that's certainly not my position or any of our positions. So again this is an excellent piece of legislation that we're going to be voting on.

I want to also thank him for being respectful of my concern about the 10% cap. This was part of legislation that Council enacted in 1998, which specifically capped the TIF at 10% of the overall project costs. I felt that it would be a bad precedent for us to try to negotiate

that. It basically said we have legislation in place but even we're not abiding by it. We don't even care.

So again I just thought it was a bad message to send but Councilman Onorato has worked with all parties. Dr. Birru in insuring that we are under the 10% cap and at the same time not the giving away everything. I appreciate the employment that Heinz has put forth in terms of hiring Pittsburghers and minorities and females. I have every anticipation that they will continue this policy in terms of employment.

The Chair:

Can I ask one question? Maybe, Mr. Udin, the letter and everything was addressed to you, this Heinz campus, does that include office staff, administration everything?

Mr. Udin:

Yes.

Mr. Ferlo:

First of all, just procedurally I believe there is also a Bill 1825, which is a companion bill relative to the City's application to the State Department of Community Economic Development. I believe there are 12 bills in total including Bill 1825. If that's not true, if we could clarify that prior to final vote?

I guess I am direct opposite Councilman Udin he takes the position of not supporting the eminent domain but voting for the financial package, and I guess my position is the direct opposite. I am very much in favor of giving the circumstances that we have been presented

with by the administration. I am voting in favor of what I believe are three bills to proceed with the expansion and amendments to the redevelopment area and to allow the URA to initiate eminent domain proceedings. Those three bills are 1756, 57 and 1822.

I am not pleased about that but giving the issues and the posture of the administration and what is being presented to us, I think it is prudent and appropriate and reasonable that Council be supportive of what the greater good is. The greater good at this point is to maintain and secure and provide an opportunity for Heinz as a major corporate tenant here in the City of Pittsburgh to sustain its current operations and to grow and to expand. If there is some rumor or talk about some type of a Heinz corporate headquarters here in the future, I think that would be an opportunity that we should not ignore.

So I am voting in favor of the eminent domain. I think it would help at this juncture to provide some closure that is needed in the complicated negotiations that go on with Pittsburgh Wool and the various tenants. I think we need to support the administration at this point. I don't appreciate the Mayor's comments that Council with the view of kind of brow beating us into submission on accepting this deal. I think he should reasonably come over here and argue what the greater good is? What the importance is of keeping Heinz here? What the numbers are in terms of impact whether it be direct financial taxes paid back to the city one company and group of companies versus the existence of Heinz, the employment profile? Heinz disproportionately more than many other companies hires a greater share of city residents including many

proudly that live in my Council District. I think he could have come over and just made the case I think we can all listen and learn and it would have been a good discussion. I didn't appreciate his brow beating intonation at Council.

I am even less pleased that the initial package that the administration came over because I am not one of this argument while I am very supportive of keeping Heinz here and recognizing I am voting in favor of the eminent domain. I am not one of this notion about the financial package that they need or even deserve at this point. I am not there. I am going to actually vote no on all the bills relative to the financial deal that is true initially that was presented by the administration.

I am also a little bit upset that the Mayor did not personally feel a need to present this package individually to elected officials like myself to explain what his involvement was and why he did what he did and how he has packaged this? I mean I am beginning to get the view that the administration just gets called by a corporate leader or whoever and they just open up the checkbook and that is it. I mean I have no sense that they have engaged with companies on whether or not they actually need the incentive or the financial health. I don't feel like they have really negotiated well for the city taxpayers. I really don't.

I mean I think it is pretty much when it comes to the administration it is open season on the financial health of the city and more and more that is taking hold. It was demonstrated even more with the Heinz proposal here. I am not opposed to a TIF proposal for the Heinz, if that is

what they truly need. I would prefer to see a pure and simple TIF proposal come here. That is not what we had initially. We had a very convoluted rating and robbing of the community development block grant directly attack on the viability of housing and commercial development at the grassroots level in my district. We had a frontal attack and a redistribution of state income going from the vital streetface program, which has been a major initiative at least in my Council District and throughout the city at improving commercial facades. That has a direct impact. All the debates we have had on streetface we have demonstrated the direct impact back to the city budget on increased business privilege tax, increase employment at the neighborhood level. I continue to point out a 35 million, 40 million invested Second Avenue, I don't know one resident that I have from Council District 7 that works in the whole darn second avenue, thirty five to forty million dollar investment. That is not the case with Heinz, that is not the case with other projects.

So I would have preferred a clean and simple TIF than this convoluted package. I do want to thank Councilman Onorato because if it wasn't for him taking some leadership and going back to the drawing board this whole proposal would have been shelved I can tell you that right now. So I want to thank Councilman Onorato for digging in his heels and trying to work with these parties. But what happens if we don't have them next year? You know, he is going to do that job as County Controller fortunately that is great. But the administration has got to learn from this experience. I think they have treated us like a bunch of you know accepted you know take it or leave it

attitude. I think that is wrong. I don't think that is a good clear way to move complicated deals ahead in the future.

But I respectfully have to vote no notwithstanding the good work that is going on. I appreciate the redirection of not robbing of the CDBG dollars, but I am not happy and still ambiguous on the state DCD application, I have a problem with that. I am pleased that the county is kicking in a greater portion. But at a time when we have close to one billion dollars in state revenues surplus is it too much to ask for the state to kick in for a major Pennsylvania company like Heinz? Heinz isn't just about the Northside. Heinz isn't just about the City of Pittsburgh. Heinz is about Pennsylvania. I mean there are certain companies that have a city tag and there are certainly companies that have just a Pennsylvania existence and identification. I think proudly Heinz is one of those. So I don't think it is unreasonable. I have no sense that the administration even asked or made inquiries about a dedicated revenue that the Ridge administration has at their prerogative. So I am not pleased in the end about the financial package but I am not going to belabor the point I am just going to respectfully vote no on the various bills.

Mr. Cohen:

Thank you. I originally shared Councilman Ferlo's concern with respect to our budgetary priorities and where the money is coming from to accomplish this goal, particularly with the CDBG the community development block grant budget.

However, with Councilman Onorato's leadership, I am now

comfortable about where the money is coming from particularly with the new revelation that the County is actually going to kick in \$700,000. We have been told at least twice and I remember at the public hearing that the county would not be able to participate other than the participation with the TIF. I am glad to see that that is happening now. I want to join in the praise for Councilman Onorato. He really did take the leadership roll on this, and was able to make a number of changes on capital budget side. I know as County Controller he will insure the fulfillment of the county commitment. Also, just in terms of the negotiations with the Kumer family and the Pittsburgh Wool Company I believe from what I hear those negotiations have progressed in large part due to Councilman Onorato's involvement, so I want to thank him very much.

I cast my vote in favor of this whole package in order to keep 1300 jobs here which will hopefully become 1500 and even more and to maintain a glorious tradition that this company has had in the City of Pittsburgh. I know that some people don't like it but the fact is that we have to be a partner in Pittsburgh's economic future. The definition of what partner means has changed over time but now it does mean to be a direct financial partner in the future of Pittsburgh. And whether we like it or not that's the environment that we live in, its a competitive environment and that includes a competitive environment for governments competing with each other to try to get important companies or keep important companies in their area. So this package is a way to keep the HJ Heinz Company in Pittsburgh and to do it in a way that I know that they will grow and hopefully establish their corporate

headquarters here as well.

On the issue of eminent domain, I want to make it very clear, I am voting to use eminent domain as a tool if it is necessary and if the URA thinks that it is necessary. In my view negotiations frankly have gone on too long with the Pittsburgh Wool Company. I hope that they are able to resolve those negotiations. But if not, I am voting today to use eminent domain as a tool. I think that it is appropriate in this instance and I think its necessary to the future of Pittsburgh. Thank you.

Mr. Udin:

I just want to add one factor. Pittsburgh stepped into bail out the Penguins several years ago as you required and as you may recall and the next thing we knew there was talk about the owners of the Penguins attempting to take the Penguins out of the city and take them somewhere else. And that's really what caused such a big uproar. I am hoping that today's investment by the City of Pittsburgh into Heinz will be interpreted by them as an act of good faith that will encourage them to consider Pittsburgh as a top priority for any future manufacturing or administrative facilities they will be opening up as they look around the city or look around country and the world for options to open up new facilities.

Heinz is reducing the size of its facilities in some areas and expanding in other areas as it develops these centers of excellence. And my hope is that they will interpret this investments on the part of the city where we are really expending over ten million dollars and will sell the property back to Heinz for something a

little over one million dollars. That is a major investment on our part. I would hope that we will get some indication from Heinz that future facilities will be opened up here in Pittsburgh as opposed to some where else that has not made the kind of investment that the taxpayers of this city are making in this company today.

The Chair:

I believe Heinz has done a lot of good things bringing Orieda back is one of them. I certainly echo what Mr. Udin said any other future developments whether they be in the city or the region and I think this goes for a lot of our corporate leaders. As Ms. McDonald said, 20 years ago we were the third leading headquarters in the country, now we're probably lucky to be in the 20's. But we have to work with those companies if they have a commitment to bring not only the corporate headquarters here, but really the factors in jobs.

I am supporting this and I believe this would probably not have happened or gone as smooth. I think it has gone very, very smooth outside of a few things in the media somewhere that usually pops up. And I think it went so through smooth because of Mr. Onorato, his leadership, bringing what the administration brought over here was not fine tuned, it needed a lot of work.

Councilman Ferlo brought up some very good questions with financial package I don't think it was not really what Heinz would have expected or wanted. So we really brought it really close to almost a one hundred percent win, win for every one. Again there is a lot of Councilpersons that worked with Mr. Onorato but he certainly took the

leadership and I want to commend him.

One last thought as we are moving on with these TIF's and I would tell the people at Heinz when you get into the future tax incentives if people don't work in the city they're not employed by city residents, we only get \$10. The old chairman who was a good friend and I had a lot of respect for him made quite a lot of money but he only paid ten dollars occupation tax to the City of Pittsburgh. So that's why we are all fighting to make this job thing work and why we need higher numbers for city residents especially if we are going to give real estate and TIF incentives.

But getting back to what Mr. Ferlo said what I am curious where the state I think they do have to keep playing a better role. If Heinz was located two or three miles up the river in a Sharpsburg or Aspinwall, how would they be able to come up with a ten million-dollar package of their own or five million or whatever their neighborhood business or their government was capable of doing? That is why I think we need more leadership and partnership on the state level. If they are going to give four hundred million dollars to a shipyard in Philadelphia, four, two, five six, whatever millions is I am sad to say I don't know that we have even asked for that money. I believe the governor with a billion dollar surplus this and it is his last two years he should be writing the checks to any company and any group that wants to do this. Jobs and education should be his priority and somehow that billion dollars is sitting in a bank and not doing us any good. If that is going to continue he should take a lesson from Jessie Vantura the new governor and he is giving the money back to the taxpayers in

Minnesota.

So, I mean there is one way to do it, either invest in jobs and education or just give it back to us. So, I mean that is some of the -- we're all no matter how this vote goes and I know you are going to at least have eight votes. That is I think pretty sure, if there is only any debates it is over the eminent domain and over some of the financial package of where the money came from. Other than that I want to send a strong message that everyone with the leadership of Councilman Onorato supports Heinz, the 1300 jobs and the good corporate citizens they have been. So we are certainly behind you a hundred percent and we want to move forward. Again, what Mr. Udin said please send a clear message to your stockholders that we like you, we want you here and any future growth please keep it in the city or region.

Final word.

Mr. Onorato:

Just that hopefully ending this on a positive note and in continuation of your comments Mr. President, Councilman Udin brought up the Penguins and that is still is a problem that I have with Penguins and how that played out. We gave almost I think \$12 million and less than a year later we find out that they're going bankrupt. I think there is a big difference and I want to applaud Heinz for two things. One, if you recall in 1991 and 1992 Heinz did a major capital improvement and expansion of the plant on the Northside. There was a big grand opening, a lot of us participated went over there and had a tour of it. So they expanded once over there in the 90's.

Two, this particular money that they're asking for and we heard the ten million dollars, let's be clear that the city's participation is less than four. But the ten is public money with the state and the other money involved but we're getting over \$450 million commitment to expand the facility with that. We did not have that with the Penguin deal. It was mostly all of our money, the public's money. They put in very little if any private money and to go bankrupt a few -- so there is a big factual difference and so this is twice in the 90's that Heinz is committing major private money to the North Shore facility. I don't want that to get lost in the debate. I hope this is a continuation of a long history with Heinz of expanding within this particular area.

The Chair:

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

(Mr. Ferlo voted no on bill 1824, 1825, 1860 1858a and 1858b, 1859a and 1859b, 1861, 1862 and Mr. Udin voted no on Bill 1756)

Bills have received the legally required

number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1909:

Report of the Committee on Lands, Buildings and procurement for July 28, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1843:

Resolution providing for a lease and/or sublease of space located at 815 Warrington Avenue, Pittsburgh, PA 15210, in the 18th Ward, from the lessor, Allentown Civic Association, for the purpose of establishing a Community Oriented Police mini-station, effective August 1, 1999 and renewable annually, at a cost to the City of not more than \$70.00 per month to off-set the cost of utilities.

Which was read.

Also,

Bill No. 1889:

Resolution amending Resolution #309 effective May 27, 1999 providing for an agreement for an agreement (s), professional services agreement, and/or contract or contracts for the design, development and implementation of a computer based multimedia interactive information kiosk for placement in the lobby of the CCB to include the purchase of computer equipment, equipment, supplies, communication hardware

software, training and maintenance, at a cost not to exceed Thirty Five Thousand Dollars (\$35,000) by increasing said amount by Eight Thousand Dollars (\$8,000) to Forty Three Thousand Dollars (\$43,000)

Which was read.

Also,

Bill No. 1890:

Resolution providing for an agreement, or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of various Public Buildings; and providing for the payment of the costs thereof, not to exceed Fifty Thousand Dollars (\$50,000), chargeable to and payable from the following Code Account Chart Fields: Account: 600000, Fund: 5100, Sub-Class: PGHPR, Project: 2227003, Budget Year: 1996.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1907:

Report of the committee on Planning, Zoning and Land Use for July 28, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1762:

Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Board of Public Education of the School District of Pittsburgh for authorization to construct a one-story extension and a one-story addition to the rear of the existing Carrick High School building on property located at 125 Parkfield Street, zoned "RSD-2" Residential Single-Unit Detached, Low Density, 29th Ward. (COUNCIL DISTRICT 4). (Hearing held July 27, 1999)

Which was read.

Also,

Bill No. 1763:

Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Board of Public Education of the School District of Pittsburgh for authorization to increase the student capacity of Rooney Middle School through the addition of a one-story modular structure containing two classrooms on property zoned "RT-2" Residential Two-Unit, Low Density, 27th Ward. (COUNCIL DISTRICT 1). (Hearing held July 27, 1999)

Which was read.

Also,

Bill No. 1794:

Resolution approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Boys and Girls Club of Western Pennsylvania for authorization to use an existing 3-story structure as a Charter School for grades 9 thru 12 with a capacity of 325 students located at 4412 Butler Street on property zoned "RM-3" Residential Multi-Unit, Moderate Density District, 9th Ward. (COUNCIL DISTRICT 7) (Hearing held July 27, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

Just point of procedure, please register an aye on all the previous that were just voted on, I just stepped back in the room.

Mr. Ferlo:

Yes. First point of clarification, 1865 did we already vote on that? That is the art set aside. I thought that was under Councilman Onorato's committee because it comes from Director Hirsh. Was that already voted on?

The Chair:

1875.

Mr. Ferlo:

I wanted a point of clarification. We are jumping around, the bill 1865 was the art set aside \$45 thousand. Knowing Director Hirsh is involved, I presumed it was under Councilman Onorato's committee so I was waiting to make an amendment. Was that already voted on?

Mr. Onorato:

Yes. It was read during the Heinz bills.

Ms. McDonald:

It was under Housing and Economic Development.

Mr. Ferlo:

I will come back to that, Mr. Chairman. But on the -- that's why it is important. Because when you think of a

bill, art set aside is clearly something that Director Hirsh, in Planning has been working on. And when I think of Planning Director Hirsh, I think of Councilman Onorato's committee. I would have been more alert, so I apologize for my colleagues for not being alert and I will go back to that.

I am concerned about the art set aside because I think it should come back to Council for final approval. I don't care if they let out a bid and go through selecting vendors and all that but I think it should come back to Council. I would like to know what is the public art that is going to end up in my Council District. I think Council should be a little more involved in that. We would have been when it was under Engineering and Construction. They are taking it out of E & C and putting it into Planning, which is fine, but I did not want to see Council relinquish its input.

But going back to the bills that are on the agenda, on Bill 1794, Mr. President and members of Council, that involves conditional use for the Boys and Girls Club. I want to make it clear, it was not said at the public hearing I had recused myself from any discussion or comments on that. I have been an early supporter and promoter of the construction of the new Boys and Girls Club in Leslie Park. I have also been an early supporter of an adaptive reuse of the old Boys and Girls Club for a charter school. I think it would be tremendous benefit to the young people and children in Lawrenceville. Since I was opinionated and obviously supportive, under Council rules and state law, I took myself and I have had no discussion with any colleagues about voting aye or nay or abstention on that bill. So I am abstaining on that bill only because of Council rules

and will react as a quasi-judicial body.

The Chair:

Voting on the bills from Planning, Zoning and Land Use. Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstained on 1794)

Bills have received the legally required number of votes and have passed finally.

Mr. Ferlo:

Point of order, I would like to ask for reconsideration on the Committee of Housing, Economic Development and Promotion on Bill 1865 for purposes of making an amendment and asking that the resolution be amended that Council -- that there be authorization of agreements with organizations or its vendors but pending -- my amendment would be pending Council's final approval and authorization.

MS. MCDONALD seconded the motion.

Mr. Ferlo:

My motion is to for reconsideration of previously approved bills and for a motion to suspend the Council rules.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

And now on the amendment, I would like some friendly suggestions, 1865 be amended resolution authorizing agreements and then it would say comma pending Council's final approval and authorization comma with organizations.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. FERLO PRESENTED:

Bill No. 1910:

Report of the Committee on Engineering and Construction for July 28, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1868:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the construction of the Brighton Heights and Troy Hill Concession Stands; and providing for the payment of the costs thereof.
(SPONSORED BY MR. ONORATO)

Which was read.

Also,
Bill No. 1892:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring \$50,000.00 from Building Maintenance Program-EC (Engineering & Construction) to Building Maintenance Program-GS (General Services).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required

number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Udin:

I just wanted to report on a meeting relative to the Penguins bankruptcy resolution. We want to thank Attorney Tom Riber (phonetic) who is the attorney who met with Council when we were dealing with the amusement tax that was owed on the Penguins. We met along with the representative from Mr. Cohen's Office to review the agreement that had been reached between the Public Auditorium Authority and the Penguins. The plan is to help the Penguins out of their bankruptcy situation not just by resolving the most immediate current debt but also structuring their relationship to the Public Auditorium Authority in such a way that would give them a chance for success and in the future in the next five to eight years and getting themselves financially on their feet. The way the Auditorium Authority has been constructed to do that is by assuming the debt service that the Penguins owes which is still about ten million dollars. It assumes that debt service and it also assumes \$1.3 million debt service owed by SMG. It refinances that debt service uses the favorable interest numbers that are available right now to reduce the total amount and to level off the debt service payments that the city would be required to pay on the Civic Arena. It also negotiates since the debt service that was being paid by SMG was really the way they paid rent and since the city is assuming that the debt service, SMG is not

required to pay rent to the Auditorium Authority.

I really have some questions about that, but I guess that's really issues for the Auditorium Authority Board to take up. Because if the Penguins really start to do well, I don't know why SMG should not pay the Auditorium Authority Board some kind of rent even especially considering that the Auditorium Authority has assumed all of the debt service that the Penguins owed in the past. This should be that revenue above some minimal amount should result in some rent but I am not trying to micro manage the arena.

The agreement also provides that the 460,000 some dollars that are due from past amusement taxes will be paid so the city will benefit from that. It also clarifies and establishes that the naming rights. There has been some dispute about the naming rights and it clarifies that SMG will have to relinquish any claim that they thought they might have had to the naming rights of the arena. The Public Auditorium Board is free to give those naming rights to the new Lemieux Organization so that they can be used to help generate revenue in the future.

And finally, the plan calls for the Public Auditorium Authority to develop a new plan to develop some financing plan for a new arena by the year 2002. It doesn't nail them down and require that a new arena be committed to but it does spur them along toward development of a financial plan that would support the development of a new arena. Personally, I hope that new arena plan relocates the new arena some where other than where it is right now. But that's not necessarily included in the plan.

So overall I think it is a very generous plan for the Lemieux Organization. Mario Lemieux himself has worked very hard to accumulate the kind of revenue and financial support necessary to give the Penguins an opportunity to succeed. It is a very important generator of taxes and amusement tax revenue for the City of Pittsburgh. That's what our benefit is in it. There is a large substantial cost benefit that the city receives from helping to keep the Penguins alive and successful because they pay into the city coffers substantial tax revenues from the amusement tax, the parking tax and other revenues that come from the operation of the arena. That essentially is what the bankruptcy deal is as far as the agreement by the public Auditorium Authority and I look forward to supporting it.

The Chair:

I think to your credit, your due diligence following up on that was a good suggestion and the meeting with the bankruptcy lawyers is protection for us and the taxpayers.

Ms. McDonald:

Different subject. Two items. One is a report that I received from Mr. Powell of the URA concerning the MBE/WBE participation on the Home Depot slash Vento's Pizza project. The report shows an overall participation of 59% MBE/WBE I think that's laudable. Again, this is a community project so these are the types of numbers that we like to see. I will be in touch with Mr. Powell though to ensure that many of these MBE's and WBE's are local, regionally local firms.

The other issue is to also commend that there was an article in the Post Gazette and it is very flattering, I kind of like it. Makes me look good about the Homewood project and the clean up. This was again I don't want to call it a pilot, but it can be considered a pilot. But what the article does not give credit to is Dave Farley of the Weed and Seed Program. He was very instrumental in working out the wages of all those details that were needed to pull this whole thing off. I would hope that the County Health Department would consider this a project that would go beyond Homewood that other Council Districts as well as others communities can participate in. It is working out very well so far.

Mr. Udin:

Just one other point, I want to, of course, acknowledge that as you know on August 3rd that is the time when all petitions before the November ballot have to be submitted to the Department of Elections. I want to take this opportunity to acknowledge and thank all of the organizations and individuals that helped to solicit signatures on petitions for the ballot question called Pittsburgh Works. That is scheduled to be submitted to the Department of Elections by the close of business on Tuesday. I expect that we will have an acknowledgment of those individuals and organizations here on fifth floor at the City County Building tomorrow at two o'clock followed by a press conference that will occur at three o'clock in the lobby of the Department of Elections. At which point we will turn over those petitions to the Director of the Department of Elections assuming that by the end of today we have enough signatures to turn in.

So I want to thank Councilman Ricciardi and Councilwomen McDonald for their previous support of Pittsburgh Works and thank all of the residents of the City of Pittsburgh and organizations in collecting the signatures that were required for this referendum effort.

The Chair:

That's tomorrow, Tuesday at three o'clock?

Mr. Udin:

Yes.

The Chair:

I would like to announce that our next meeting Legislative Meeting will be Tuesday, August 31st at 10:00 p.m. We will have the recess. I would like a motion to excuse the absent member, Mr. Hertzberg is out of the town.

MR. UDIN moved to excuse the absent member.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. UDIN moved to approve the minutes.

MS. MCDONALD seconded the motion.

MR. RICCIARDI moved to adjourn the meeting.

MR. UDIN seconded the motion.

And with the motion made by Mr. Ricciardi, the meeting adjourned.

MUNICIPAL RECORD

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, August 31, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer for peace and hope throughout the world. In your prayers, this morning please remember Mayor Sophie Masloff who's recovering from what I understand a mild heart attack. I understand she's doing very, very well and we wish her a speedy recovery.

We're fortunate enough to have members of the South Side softball and baseball teams with us this morning. We have Brittany Leslie. She's 12 years-old from Arlington Middle School; Katelyn Dutting, she's 11 years-old from West Liberty School; Erica Seskey, she's 11 years-old from Arlington Middle School; Kelsey Renkin, she's 12 years-old from Arlington Middle School; and Logan Renkin, he's 10 years-old and he's also from Arlington Middle School. They are from District 3, Councilman Ricciardi. Would you all please lead us in the pledge.

Brittany Leslie, Katelyn Duttine, Erica Seskey, Kelsey Renkin, and Logan Renkin:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Ladies and gentleman we have a little present here for you. We have a flag of our city and our country. Can we get a picture with all of you?

PRESENTATIONS

Mr. Ricciardi:

Thank you very, Mr. President. I'd like to ask Coach Ruth Renkin and our other honored guests if you could please come forward. Thank you.

Colleagues, I'm very proud today to present a Resolution to a championship team. As we all know here in the City of Pittsburgh, in order to be a champion you have to have discipline, strong teamwork and you have to know how to have fun. I think that's what this team portrayed throughout the tournament.

I'm going to read the Resolution and then I'll ask our Coach Renkin if she could please give the public the names of all the players and, especially, the ones with us today, Erica, Brittany, Katelyn and Kelsey.

MR. RICCIARDI PRESENTS:

No. 1911 WHEREAS, the Mayor's Cup Championship Girl's Softball Tournament was comprised of all athletic associations in the City of Pittsburgh; and,

WHEREAS, on Sunday, August 1, 1999 the South Side Athletic Association Girl's Softball Team was victorious in the Mayor's Cup Championship Softball Game with a score of 3-2; and,

WHEREAS, this victory was the result of the aggressive base running, pitching and batting.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates the 1999 South Side Athletic Association Girl's Softball Team on their victory in the Mayor's Cup Championship Tournament.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you.

Coach Renkin, if you could please come forward and give us the rest of the players.

Ms. Renkin:

I'll announce the girls here first, Erica Seskey, Brittany Leslie, Katelyn Duttine, Kelsey Renkin, Coach Terri Seskey and one of our biggest fans, one of the mothers of two girls that aren't here because they're in school, Dodi Bogdanski. I'd also like to thank the Mayor and for the big league tournament with Lou and Sam running it, it was an excellent run tournament. We had a great time. Thank you for the fundings that you support us with at South Side Athletic Association.

Now, I'll announce the rest of the girls name. Sharawn Battle, Breanne Bogdanski, Brittany Bogdanski, Erin Fitzwilliams, Tara Giles, Alyse Maxwell, Jessica McArdle, Melissa Parrish, Rikki Renkin, Sara Steiner, Amber Young, Coach Bev Leslie, and Coach Lawrence Battle.

Thank you very much.

Mr. Ricciardi:

Ruth, you're so kind to thank us all, but we really want to thank the Department of Parks and Recreation for

their fine work with the Big Leagues Program.

Now, I'm going to ask sort of a trivial question and ask these young players if you know the t-shirts of the sponsors that you're wearing. Come on up and tell us. What does your T-shirt say?

Speaker:

Readshaw Funeral Home.

Mr. Ricciardi:

Let's see if you know what your tee-shirt says.

Speaker:

Pine Service.

Mr. Ricciardi:

Let's go to Woody's Towing, come here.

Speaker:

Woody's Towing.

Speaker:

Herman Howl Florist.

Mr. Ricciardi:

That's in the South Side on Carson Street.

Speaker:

Herman Howl Florist.

Mr. Ricciardi:

Colleagues, thank you very much. Once again, congratulations to our fine athletics.

The Chair:

Thank you and congratulations.

Mr. Hertzberg:

Please come forward those that are here in connection with the Dolfi family, particularly Gabriele Bartolini and our translator, Daisy Petrone.

Last summer, I was privileged to spend about a week in a city in Italy, a little smaller than Pittsburgh but a pretty big city, called Proto (phonetic) in the Tuscany region. I visit it quite a bit with my wife's family. One of the young men that I met there promised us he would be coming to the United States and he fulfilled his promise. He's been here for about the last month. One of the reasons that he came here was to attend a family reunion, the Dolfi Family Reunion, which was held a couple of weeks ago.

What I'm going to do is read the resolution honoring the Dolfi family day in English. Then, I'm going to have a translator read the version that's in Italian. Then we're going to ask Gabriele to take that back to Italy with him and present it in Proto to his family there. I would note that Gabriele works for the City Council in Proto so he's taken a great keen interest in seeing what we're doing here.

MR. HERTZBERG PRESENTS:

No. 1912 WHEREAS, the Dolfi Family ancestors are from Italy, and

the Dolfi Family has seven offspring by Ovidio Dolfi; and

WHEREAS, four of those offspring, Teresa, Nunziata, Primo and Quintilia, immigrated to the United States, one child, Virgilio, immigrated to Venezuela, South America and two children, Ugo and Ida, remained in Italy; and

WHEREAS, Teresa, Nunziata, Primo and Quintilia and their families all have lived and still live within the Pittsburgh region; and

WHEREAS, two great grandchildren of Ugo Dolfi, Samuele and Gabriele Bartolini, have traveled from Italy to Pittsburgh to be a part of the Dolfi Family Reunion; and

WHEREAS, on Saturday, August 14, 1999 Samuele and Gabriele Bartolini will join many other descendants of Ovidio Dolfi for the second "Dolfi Family Reunion" at Sunset Beach Park;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Saturday, August 14, 1999, "Dolfi Family Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Now, the Italian version. Daisy Petrone who's done quite a bit of translating.

Ms. Petrone:

(Italian version read.)

Mr. Hertzberg:

Let me present this to Gabriele also with the America flag, also the flag of the City of Pittsburgh. I can tell you that Gabriele speaks pretty good English. So, maybe he'll say a few things to us.

Congratulations.

Mr. Bartolini:

Good morning.

I'm very excited to be here. I want to thank everybody that I've met during this month of staying in the United States. I find this country very, very beautiful, different from my country. But, I love my country, too. I want to thank every member of the Dolfi Family, everyone I've met in this wonderful period. I found a family here so I can say that I have two families, at least, one in Italy and one here.

Thank you very much to all of you.

The Chair:

Thank you, we have two to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1913 WHEREAS, Joel Ziolkowski, son of Joel and Maureen Ziolkowski is a member of the Boy Scouts

of America, Troop # 66, Sponsored by Sheraden Community Presbyterian Church on Allendale Street, in the 20th Ward of the City of Pittsburgh; and

WHEREAS, Joel has satisfied the Eagle Scout requirements by earning the required number of merit badges in many fields; and

WHEREAS, Joel's Eagle Scout project consisted of organizing a group of at least 15 older scouts and adults to paint the light boxes at the Sheraden Community Presbyterian church; and

WHEREAS, due to the financial expense of this project the church has not been able to have the light boxes in the church painted for over 19 years; and

WHEREAS, Joel was able to get the paint supplies, ladders and scaffolding donated to the church; and

WHEREAS, although painting the light boxes may seem to be an easy task, it was quite difficult; Joel and his crew of volunteers had to use scaffolding to paint 4 light boxes which were 32 feet in length and 12 feet from the floor

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate Joel Ziolkowski on his recent achievement and commends him for his outstanding accomplishment in receiving the Eagle Scout Award on August 23, 1999.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTS:

No. 1914 Whereas, Anthony "Tony" Accamando, Sr. was born on November 17, 1919, and was raised in the neighborhood of Mt. Oliver in the City of Pittsburgh by his parents Nicholas and Maria Accamando; and,

Whereas, Tony and his wife of fifty-seven years, Mary, raised their four children, Anthony, Jr., Thomas, Barbara and Donald in the City of Pittsburgh; and,

Whereas, Tony is the proud grandfather of ten grandchildren; and,

Whereas, Tony was a City of Pittsburgh employee, Committeeman for the 18th Ward and President of the Bon Air Civic Association; and,

Whereas, Tony opened the Pizza Time Shoppe in the Neighborhood of Mt. Oliver in the City of Pittsburgh forty years ago, in 1959; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Anthony Accamando, Sr. during the time approaching his eightieth birthday and the fortieth anniversary of the opening of the Pizza Time Shoppe, and declares Tuesday, August 31, 1999 Tony Accamando Day in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. COHEN PRESENTS:

No. 1915 WHEREAS, Chatham College, one of our City's premier institutions of higher learning, is celebrating the Year of South Asia during the 1999-2000 academic year; and

WHEREAS, Chatham College's Year of South Asia will focus on the region that incorporates the countries of India, Pakistan, Nepal, Bangladesh, Bhutan, the Maldives, and Sri Lanka;

WHEREAS, throughout the five years of its innovative Global Focus program, Chatham College has enhanced the Pittsburgh community by hosting Fulbright scholars, world renowned performing groups, artists, authors and experts in the five primary global regions previously selected for study, with all events open to the public and free of charge; and

WHEREAS, Chatham College welcomes several distinguished visitors to campus during Fall Term, including Dr. Najma Najam, the first vice chancellor of Fatima Jinnah University, the only women's university in Pakistan, Indira Ganesan, author of The Inheritance, and in collaboration with Carnegie Mellon University's Hunt Institute for Botanical Documentation, Arundhati Vartak, the world's premier botanical artist; and

WHEREAS, for the entire academic year, Chatham College is fortunate to have its first Fulbright Scholar from India, Dr. Chhaya Ashok Datar, head of the women's studies unit at the Tata Institute of Social Sciences in Bombay, India.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Chatham College for 130 years of educating women in the liberal arts; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh congratulates Chatham College and its President, Esther Barazzone for establishing the College's Global Focus Program and convening the Year of South Asia.

MR. ONORATO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

At the time, anybody from the general public has three minutes to speak to Council or address Council. Is there anybody in the audience?

We will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1916 Resolution authorizing the transfer of Seven Thousand Five Hundred (\$7,500.00) Dollars FROM Rent, Office, Organization: 121000, Account: 561800, Fund: 1000, Sub Account: 140, Budget Yr.; 1999, TO: Organization: 121000, Account 516000, Index Code 112615, Fund: 1000, Sub Account: 020, Premium Pay, Budget Yr. 1999,

Department of General Services, Bureau of Administration.

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN PRESENTED:

No. 1917 Resolution providing for an Agreement or Agreement with a consultant or consultants for professional services for the Youth Policy Office at a cost not to exceed \$84,000.00.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1918 Resolution providing for an agreement with Progressive Insurance and/or National Insurance Crime Bureau for the use of a specialized auto theft sting vehicle, at a cost of \$1.00.

No. 1919 Resolution providing for an agreement with Pittsburgh Mediation Center for professional services at a cost not to exceed \$20,000, and providing for the payment of the cost thereof.

No. 1920 Resolution providing for an Agreement or Agreements with a psychologist(s) or counselor(s) for professional psychological services at a cost not to exceed \$75,000, and providing for the payment of the cost thereof.

No. 1921 Resolution authorizing an Agreement or Agreements with a consultant or consultants for the purchase of software maintenance for computerized tripsheets for ambulance services at a cost not to exceed \$3,520.00.

Which were read and referred to the Committee on Public Safety Services

MR. FERLO PRESENTED:

No. 1922 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article III, Sales Businesses, Chapter 719, Vendors and Peddlers, by making various changes.—(SPONSORED BY **MR. FERLO**)

Which was read and referred to the Committee on Public Safety Services

No. 1923 Resolution authorizing and directing the Director of General Services to install an audio system, capable of amplifying the comments and testimony of the Zoning Board, witnesses and observers present in the Board and Commission hearing room on the first floor of the building located at 200 Ross Street within forty-five (45) days of the passage of this resolution; and also calling for the institution of a moratorium forty-five (45) days after the passage of this resolution, or until such time that a sound system is installed.—(SPONSORED BY **MR. FERLO**)

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. HERTZBERG PRESENTED:

No. 1924 An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A Zoning District Map No. 7 by changing from "G-PR-B" Grandview Public Realm Subdistrict B to "G-PR-C" Grandview Public Realm Subdistrict C certain property identified as 1106-08 Grandview Avenue having 49.98 feet of frontage on the northerly side of Grandview Avenue being Block No. 6-M, Lots 21 and 22, 19th Ward. —(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1925 Resolution transferring the amount of Three Hundred Thousand Dollars(\$300,000.00) from Salaries to Premium Pay, \$150,000 from the Bureau of Operations and \$150,000 from Environmental Services, both within the Department of Public Works.

Which was read and referred to the Committee on Finance and Budget.

No. 1926 Resolution designating the Chartiers Nature Conservancy to plan,

build and maintain the Chartiers Creek Trail. —(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MS. MCDONALD PRESENTED:

No. 1927 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the Urban League Counseling Program at a cost not to exceed \$99,200.00.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1928 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A Zoning District Map No. 9 by changing from "R1" ("RSD-2") One Family Residence District to "C3" ("LNC") Local Neighborhood Commercial District all that certain property bounded by Pioneer Avenue, Trezona Way, Lot 80, Block 62-R in the Allegheny County Lot and Block System and Berkshire Avenue, 19th Ward.

No. 1929 Resolution Approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911 to Winchester-Thurston School for authorization to use an existing 2-story residential structure as administrative offices for Winchester-Thurston School, located at 5001 Bayard Street on property

zoned "RT-2" Residential Two-Unit, Low Density District, 7th Ward.

No. 1930 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Allegheny Traditional Academy and located at 810 Arch Street, and all of the property designated as Block and Lot Number 023-P-078, in the Twenty-second Ward, City of Pittsburgh.

No. 1931 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Arsenal Middle School and located at 3901 Butler Street, and all of the property designated as Block and Lot Number 049-E-245, in the Sixth Ward, City of Pittsburgh.

No. 1932 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now known as Beechwood Elementary School and located at 810 Rockland Street, and all of the property designated as Block and Lot Number 016-R-156, in the Ninth Ward, City of Pittsburgh.

No. 1933 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Beltzhoover Elementary School and located at 320 Cedarhurst Street, and all of the property designated as Block and Lot Number 015-M-131, in the Eighteenth Ward, City of Pittsburgh.

No. 1934 Resolution providing for the designation as a Historic Structure

under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Colfax Elementary School and located at 2332 Beechwood Boulevard, and all of the property designated as Block and Lot Number 128-A-056, in the Fourteenth Ward, City of Pittsburgh.

No. 1935 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Concord Elementary School and located at 2340 Brownsville Road, and all of the property designated as Block and Lot Number 045-M-340, in the Twenty-ninth Ward, City of Pittsburgh.

No. 1936 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Connelly Skill Learning Center and located at 1501 Bedford Avenue, and all of the property designated as Block and Lot Number 009-R-194, in the Third Ward, City of Pittsburgh.

No. 1937 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Fifth Avenue High School and located at 1800 Fifth Avenue, and all of the property designated as Block and Lot Number 011-J-002, in the First Ward, City of Pittsburgh.

No. 1938 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Fort Pitt Elementary School and located at 5101 Hillcrest Street, and all of the property designated as Block and Lot

Number 050-F-240, in the Tenth Ward, City of Pittsburgh.

No. 1939 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Dilworth Elementary School and located at 6200 Stanton Avenue, and all of the property designated as Block and Lot Number 083-H-189, in the Eleventh Ward, City of Pittsburgh.

No. 1940 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Frick International Studies Academy and located at 107 Thackeray Street, and all of the property designated as Block and Lot Number 027-R-020, in the Fourth Ward, City of Pittsburgh.

No. 1941 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Friendship Elementary School and located at 5501 Friendship Avenue, and all of the property designated as Block and Lot Number 051-D-087, in the Eighth Ward, City of Pittsburgh.

No. 1942 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Fulton Elementary School and located at 5799 Hampton Street, and all of the property designated as Block and Lot Number 082-L-180, in the Eleventh Ward, City of Pittsburgh.

No. 1943 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Greenfield Elementary School and located at 1 Alger Street, and all of the property designated as Block and Lot Number 054-K-230, in the Fifteenth Ward, City of Pittsburgh.

No. 1944 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Knoxville Middle School and located at Charles and Grimes Avenue, and all of the property designated as Block and Lot Number 014-P-060, in the Thirtieth Ward, City of Pittsburgh.

No. 1945 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Langley High School and located at 2940 Sheraden Boulevard, and all of the property designated as Block and Lot Number 042-R-045, in the Twenty-eighth Ward, City of Pittsburgh.

No. 1946 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Lemington Elementary School and located at 7060 Lemington Avenue, and all of the property designated as Block and Lot Number 173-A-176, in the Twelfth Ward, City of Pittsburgh.

No. 1947 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the auditorium wing of Letsche

Education Center and located at Bedford Avenue, and all of the property designated as Block and Lot Number 009-R-167, in the Third Ward, City of Pittsburgh.

No. 1948 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Lincoln Elementary School and located at Lincoln and Frankstown Avenues, and all of the property designated as Block and Lot Number 125-A-104, in the Twelfth Ward, City of Pittsburgh.

No. 1949 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now known as Linden Elementary School and located at 725 South Linden Street, and all of the property designated as Block and Lot Number 085-M-362, in the Fourteenth Ward, City of Pittsburgh.

No. 1950 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Madison Elementary School and located at 3401 Milwaukee Street, and all of the property designated as Block and Lot Number 026-P-280, in the Fifth Ward, City of Pittsburgh.

No. 1951 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now known as McCleary Elementary School and located at 5251 Holmes Street, and all of the property designated as Block and Lot Number 080-D-309, in the Tenth Ward, City of Pittsburgh.

No. 1952 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Mifflin Elementary School and located at 1290 Mifflin Road, and all of the property designated as Block and Lot Number 184-J-032, in the Thirty-first Ward, City of Pittsburgh.

No. 1953 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Morrow Elementary School and located at 1611 Davis Avenue, and all of the property designated as Block and Lot Number 075-C-089, in the Twenty-seventh Ward, City of Pittsburgh.

No. 1954 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Oliver High School and located at 2323 Brighton Road, and all of the property designated as Block and Lot Number 045-P-225, in the Twenty-seventh Ward, City of Pittsburgh.

No. 1955 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Perry Traditional Academy and located at 3875 Perrysville Avenue, and all of the property designated as Block and Lot Number 115-H-110, in the Twenty-sixth Ward, City of Pittsburgh.

No. 1956 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now known as the Pittsburgh Board of

Education Child Care Program Offices (formerly Boggs Avenue Elementary School) and located at 822 Boggs Avenue, and all of the property designated as Block and Lot Number 015-J-125, in the Nineteenth Ward, City of Pittsburgh.

No. 1957 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as The Pittsburgh High School for the Creative and Performing Arts and located at 925 Brushton Avenue, and all of the property designated as Block and Lot Number 174-L-269, in the Thirteenth Ward, City of Pittsburgh.

No. 1958 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Prospect Middle School for Multicultural Education and located at 3 Cowan Avenue, and all of the property designated as Block and Lot Number 004-K-166, in the Nineteenth Ward, City of Pittsburgh.

No. 1959 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Rogers School for the Creative and Performing Arts and located at 5525 Columbo Avenue, and all of the property designated as Block and Lot Number 083-E-116, in the Tenth Ward, City of Pittsburgh.

No. 1960 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Schiller Classical Academy and

located at 1018 Peralta Street, and all of the property designated as Block and Lot Number 024-K-216, in the Twenty-third Ward, City of Pittsburgh.

No. 1961 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure formerly known as Latimer School, now The Schoolhouse Apartments, and located at Tripoli and James Streets, and all of the property designated as Block and Lot Number 023-M-196, in the Twenty-third Ward, City of Pittsburgh.

No. 1962 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Sterrett Classical Academy and located at 7100 Reynolds Street, and all of the property designated as Block and Lot Number 126-L-170, in the Fourteenth Ward, City of Pittsburgh.

No. 1963 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Taylor Allderdice High School and located at 2409 Shady Avenue, and all of the property designated as Block and Lot Number 087-H-250, in the Fourteenth Ward, City of Pittsburgh.

No. 1964 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Thaddeus Stevens Elementary School and located at 824 Crucible Street, and all of the property designated as Block and Lot Number 019-C-166, in the Twentieth Ward, City of Pittsburgh.

No. 1965 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now known as Washington Polytechnic Academy and located at 169 40th Street, and all of the property designated as Block and Lot Number 049-E-201, in the Ninth Ward, City of Pittsburgh.

No. 1966 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Weil Technical Center and located at 2250 Centre Avenue, and all of the property designated as Block and Lot Number 010-R-175, in the Fifth Ward, City of Pittsburgh.

No. 1967 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Westinghouse High School and located at 1101 North Murtland Street, and all of the property designated as Block and Lot Number 125-D-200, in the Twelfth Ward, City of Pittsburgh.

No. 1968 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Woolslair Elementary School and located at 40th Street and Liberty Avenue, and all of the property designated as Block and Lot Number 049-R-236, in the Ninth Ward, City of Pittsburgh.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1969 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$800,000.00, and shall be chargeable to and payable from the Special Summer Food Service Program Trust Fund, Account 525530, Fund 2855, Organization 521230, Subclass 600, Year 1999, in the Department of Parks and Recreation.

No. 1970 Resolution providing for an Agreement or Agreements with City Source Associates for the purpose of providing professional services for the 1999 Community Enrichment Program for the Department of Parks and Recreation. The total cost shall not exceed \$110,000.00, and shall be chargeable to and payable from the Special Parks Program Trust Fund, account 526150, fund 7314, organization 523010, subclass 600, budget year 1999, in the Department of Parks and Recreation.

No. 1971 Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP recreational and Senior Citizens Program in an amount not to exceed \$845,000.00 for the Department of Parks and Recreation.

No. 1972 Resolution providing for a contract or contracts, agreement or agreements, or the use of existing contracts, or agreements for the payment

of supplies, equipment, materials, salaries, rentals, and other services required in connection with the Baseball is Great (BIG) League Youth Sports Program in an amount of One Hundred Thousand (\$100,000.00) Dollars, chargeable to and payable from Account 525500, Organization 102000, Fund 2610, Subclass C1999, Grant/Project G224117, Budget Year 1999.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1973 Resolution providing for the issuance of a \$4,325.00 warrant in favor of Mary R. Meyer of 2339 Spring Street, Pittsburgh, PA 15210, in settlement of a claim in which claimant's sewer backed up causing damage to her property on several occasions on February 28, 1999.

No. 1974 Resolution amending and restating Resolution No. 536 in order to modify and correct certain amounts and references.

No. 1975 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 1976 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties,

known as Lien Excluded Properties acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1977 Communication from Jacqueline R. Morrow, City Solicitor, submitting summaries of all claims filed and paid in July 1999, pursuant to Section 163 of the Pittsburgh Code.

Which was read, received and filed.

The Chair:

Motion to receive and file?

MR. FERLO moved to receive and file and discussion.

MR. ONORATO seconded the motion. Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Udin:

I just want to take a moment, Mr. President, to thank all Members of Council and the Mayor's Office and the Clerk's Office for their expressions of sympathy and condolence to myself and my family with the passing of my sister, Della. You sent flowers, you sent messages, you

visited the funeral home, and attended the funeral. I can't tell you how much it meant to me and my family to have that kind of support. I want to thank you very much.

Secondly, at the appropriate time, I don't know if it's now or at the end of the meeting, I wanted to make a couple of comments about the Fifth and Forbes Avenue meeting that's being held this afternoon. Is now the appropriate time?

The Chair:

Yes, please continue.

Mr. Udin:

We've convened a meeting to which we have invited the downtown property owners, the downtown business owners and other stakeholders in downtown, such as the Chamber of Commerce, the Downtown Partnership, the Downtown Neighborhood Association, the Market Square Association and other groups. We've also invited to present the City's proposals or to discuss them to the extent that they are willing to, the Mayor's Office, the Urban Redevelopment Authority, the developers from Chicago and anyone else from that side who wishes to describe this project.

The purpose of the meeting is to begin a monthly round table, a series of discussions, that would give the people who care about downtown an opportunity to begin dialogue with each other and also with the City and with the proposed developers about the future of downtown, their responses to the Mayor's plan or their own ideas about how downtown ought to develop.

I don't know how many to expect and I'm not sure what the turn out is going to be like. But, I just want to provide a forum for discussion to take place. I certainly want to invite all Members of Council. I was negligent in not getting out a notice to Council earlier inviting Members of Council, but I think you all know that I try to do everything I do as openly and as inclusive as possible. So, Councilmembers are not only invited to attend, I hope that you will attend and participate.

Council also needs to be thinking about how its going to develop its own consensus around this project independent of the community dialogue and activity because no matter what deal the Mayor strikes with the developer, it still has to be approved by Council. Council each time we have approved Tax Increment Finance, set aside for the Fifth and Forbes Project, we've also made it very clear that TIF is subject to further detail being presented to Council about the Fifth and Forbes Avenue Project in receiving Council's approval.

The public need not be and Council need not be concerned about whether or not Council will have adequate opportunity to put its fingerprint on the plan. We will have opportunity to do that. I'll be doing everything I can as the Council Representative for that district to make sure that Council's concerns are heard and addressed and, then, Council will have the opportunity to do that themselves. If any Members of Council have ideas that they would like to share with me about the future of the downtown project, I certainly welcome your input and wish that you would provide that prospective to me directly. I will do

everything I can to make sure that it is included in the final plan.

So, we'll be meeting the last Tuesday of every month on the 31st Floor of the Old Alcoa Building from about 12:00 to 1:00. I called it a Brown Bag Round Table. I was intending to indicate that people should bring their own brown bag. I hope that people will not come anticipating that I will have brown bags for everybody who attends because I will not.

Thank you.

The Chair:

Thank you.

I know you mentioned the monthly meetings, was this originally scheduled for Friday, the last Friday --

Mr. Udin:

No, the other meeting was a Council briefing. I guess Council is operating on several levels. Today's meeting is intended mainly for the property owners and business owners and other downtown stakeholders. But, I was also trying to accommodate a briefing with Councilmembers only and the developers so the developers can be making a presentation only to members of Council. It was postponed because of the death in my family. It will be rescheduled and a series of presentations will be made to Council so that Council is kept abreast of every step in the road as we move down this project.

The Chair:

Also, I think it's very important that Councilmembers or our staff be at these meetings to hear what input we have from the business owners and people who use downtown.

Mr. Ricciardi:

I'm very thankful that Sala Udin is taking the lead in facilitating discussion and dialogue regarding a very important project that's going to happen in our Central Business District and I look forward to more input. However, on a similar note, I think Councilman Michael Diven has raised an issue over and over and we really have to be very condescending of that point. That is, we're fast approaching the cap off. Mr. Diven hopefully can speak to the details of the cap regarding how much TIF, Tax Incremental Financing, can be used in the City of Pittsburgh in relationship to our assessed properties. The message I'd like to send out to the Administration is to save some lead way, or TIF, for the communities that I think that the legislation was supposed to address.

I'd like to see us use Tax Incremental Financing in District 3, in Allentown, in Arlington, in Beltzhoover, in St. Clair Village, in Carrick. I'd like to see Tax Incremental Financing used in South Oakland, in Brookline, in Beechview and elsewhere. One of the stipulations and variables that goes into the Tax Incremental Financing is that you have to find the property to be blighted. We found out by this Administration and this Council that you can, basically, blight anything. Look at the property now that the banks are sitting on, PNC and Mellon Bank, that's basically being built by taxpayers dollars, dollars that are diverted

from the Treasury that's going to go into that building that becomes an asset of that building.

So, I think initially when Tax Incremental Financing was put together, it was really to look into places like Greenfield, and Hazelwood and Sheridan and Espen and other places. So, I'm sending out a very polite, but a very firm message to this Administration that I'm going to be very wary of approving any Tax Incremental Financing packages brought forward because we're fast reaching that cap. I don't see how we helped the struggling communities.

On that note, unless he has an objection, I'd like Michael Diven to raise that issue one more time, if you can Mike and just let us know, Councilman Diven on what the cap is.

Mr. Diven:

Under the state enabling legislation for Tax Increment Financing, the City can only use TIFs in, I believe, 10 percent of the property of the City of Pittsburgh proper. I think, at least in some of the hearings we've had with Dr. Birru, we were, I think, at six percent already. So, we are approaching that. With the length of the TIFs being anywhere from 18 to 20 years, once we do reach that 10 percent, we're going to have to wait a very long time to have another opportunity to use TIF financing for projects that are definitely needed.

I agree with you on the blighted aspect of it. I know I've been talking with the Administration about the Route 51 corridor which, I think, anyone that lives in the South Hills rides through there and

believes that to be blighted. I think that we have to really fine tune what we designate as blighted in order to get the most out of what the legislation that allows us to do TIFs that has really been put in place for it. So, I agree with you. I think we definitely need, now more than ever, to be very much more critical of each of the TIFs that come down the pipe because I think we're slowly reaching the point where we will no longer have that tool for redevelopment for communities that definitely need the help. So, I'm going to continue with you on that.

Mr. Ferlo:

I look forward to the meeting. I want to thank Councilman Udin for pulling together an opportunity for this Council and other stakeholders as the Councilman says to be more directly involved and be more knowledgeable.

I think, unfortunately, the Mayor's whole plan for the Forbes/Fifth Retail Development is in trouble. Unless the Mayor, as early as this week, starts taking the offensive to better explain and to project what the goal is, what his vision is, and what the objective is for the Forbes/Fifth Retail, I don't see it getting through this Council for any number of reasons. I think it's well intention, but partly because the Mayor and the administrative staff, their own person style, the way they do business, it tends and lends itself to people not being involved or, at least, feeling involved and that their comments and concerns are being solicited.

You can see next to the letter to the editor there in the Post Gazette this morning, a woman writes a very eloquent

and brief letter, but very effective letter, about I think her ending statement was something about think small and grow big. Basically, it was a letter reinforcing the whole emphasis and the need for the Administration, the Mayor directly, to be more concerned about the smaller business community in terms of recognizing their contribution to the City Coffers and the business opportunity they represent for our City.

I really would ask that the Mayor would think about either making an official statement or policy initiative or even issuing an executive order. I'll pick an example as an illustration. If you read the Journal of the History and Landmarks Association the last few weeks, it's almost like you read that newspaper. If you know what, I think, the Mayor has said he will do, at least formally committed to, you would think there's completely opposite sides to the story. I'm talking about the issue of the historic designation, not necessarily the process, but the review process of the historic designation book, what the overall plan is.

The Mayor explicitly stated in a number of different forums, and I take him on his word, that he will commit to this whole process being reviewed, either the outright demolition of any building, the facade renovation of a particular building, as well as new construction so that it fits some kind of ecstatic guideline. He says that he will have this whole process reviewed due to the Historic Review Commission guideline and that process. He stated that publicly. I think he's issued that directly to a number of administrators, the URA, City Planning and the like. That was not expressed.

If you read the History and Landmarks, you would think totally the direct opposite in terms of whether or not the Mayor is actually committed to this issue of preserving and protecting significant and historical buildings within that area of which there's at least maybe seven or eight that are significant. There is actually a greater number of buildings in the immediate parameter that are already listed on the national registry and actually represent a very large volume of historic preservation. I think we should be concerned about. But, this is an example where either he's not doing proper public relations or he's not making it clear what his intent is.

I would ask him that he think about an executive order. I would support this whole deal if I saw an executive order there that has at least minimally four principals. One is he stating directly what his commitment is on the historical review process, both on the demolition of buildings that might be proposed for demo, the actual facade, restoration and/or improvement and the new construction, and how it would actually fit in and make sense architecturally and ecstatically into this corridor. I would ask that he make it part of the principal of an executive order.

Given the (inaudible) of the Heinz disaster, I go back to my notebook. I voted for imminent domain because it was in the best interest of the City. I'm still upset and I resent the fact that we gave Heinz \$10 million dollars to buy the darn property. Now, I have three street faced applications on Butler Street that I can't do because we gave \$10 million dollars to Heinz and they didn't need it. So, I would ask that the Administration think about and include stakeholders.

There are small business people that have been in that Forbes/Fifth Retail and in the Market Square corridor for decades. Maybe they aren't Lorde and Taylor, God knows I've never been in Lorde and Taylor, I shop in Kmart and Ames. But, the fact in the matter is that there are a lot of people down there that's been supporting families and putting kids through college and they've been paying the freight. They've been paying the overhead of Public Safety and garbage pick-up for decades. To now just not include them in this future deal at some level, I'm not saying they have to be the prime tenant of what's going to be \$30.00 to \$50.00 a square foot, obviously they can't afford that. But, somehow, unlike Federal North and unlike the Heinz deal, there has to be a clear executive order commitment from this Mayor to his administrative personnel and especially to Dr. Birru that the people that have been paying the freight in that area will be mainstream and maintained in some fashion thereof either as rentals, stakeholders, or will be provided an opportunity to take part in the commerce of that redevelopment. If that's not part of the principle of this executive order, then I'm not voting for this whole deal.

Thirdly, it makes no sense, and the Mayor I think appreciates this, it makes no sense for us to have invested millions and millions and millions of dollars in the Cultural Trust Historic corridor. We have the emergents of private investment in the First Side area and we have an significant and historical area in the financial corridor, Grant Street on down. If we don't preserve and protect the character of the parameter, then we're throwing millions of dollars and making a bad investment. What's going to happen is

you're going to have buildings come down in the outer corridor for surface parking lots to service the Forbes/Fifth Retail. So, why don't we look comprehensively at preserving and protecting the historical qualities of significant buildings in and around the parameters. We should link up First Side with Cultural Trust through the financial Forbes/Fifth Retail corridor. I would ask that you think about that principle being expressed in the Executive Order.

Those are just some of the points. I'm sure there are many others. Councilman Udin has expressed any number of concerns.

I think this Council wants to grow this City. We want to be partners and we want to do the right thing. I'm not voting for something that's going to end up to be an East Liberty disaster of decades ago I can tell you that right now. We have to start being fair to people especially people that have been paying the freight for a long time.

So, I would ask that we take the offensive for once. Don't wait until the editorial board and the reporters lash. You don't wait for people to write articles based on missed information, not even factual information, get it together Tom, get it together.

The Chair:

Again, you mentioned and I quoted you a few times we haven't seen a market study either on your request.

Mr. Ferlo:

I asked him that. I guess it's like waiting for the dove, it's never going to come.

The Chair:

There's a lot of work to be done. Again, we certainly don't want to do another Heinz fiasco.

There are no Reports of Committee. We final voted on everything and we will start Thursday on that.

We will now move to Motions and Resolutions.

MOTIONS & RESOLUTIONS

Mr. Ricciardi:

Thank you, Mr. President.

Colleagues, I think the Governor of this state and, unfortunately, many of the democratic and republican state officials lost a golden opportunity. If you pick up today's paper, the Pittsburgh Post Gazette, you'll see that it says that a small town learns to save. It talks about Spikesville, Somerset and the unfortunate rationing that is occurring there.

We keep talking about how can we market our region. We talk about all the assets that we have here in the City of Pittsburgh, in Allegheny County and especially our workforce. But, the most important, the biggest asset that we have here in the City of Pittsburgh, in Allegheny County is our water. We have plenty of it. As a matter of fact, our two intake valves here in the City of Pittsburgh are 15 feet below sea level. Sea level here in Allegheny River is, approximately, 726

feet. There are millions of gallons behind the dams that the core is holding back. What's the real reason we are under draught? They talk about navigating the rivers. It holds a little bit of weight but not much.

Here's the reason, the Pittsburgh Water and Sewer Authority has produced and taken more water out of the Allegheny River than last year. We used more water here in the City of Pittsburgh in Allegheny County and we sold more water to our surrounding municipalities than last year. So, why are we in a draught stage? There's no reason for it, none whatsoever.

All of that water that is above our intake valves is going down the river, down to the Mississippi. What a golden opportunity. This lead could say, Allegheny County the City of Pittsburgh has excess water, a tremendous amount of water. Right now, business, corporations, industries, and residents across this country could be reading our paper on the internet saying, it might be a good place to locate.

But, here's the issue, always keep in mind that we used more water now, this year and conservation efforts were not at a success. They were not successful in my house. Our beautiful flowers, my beautiful garden and my basil is doing well. We've used more water in the City of Pittsburgh than last year. We sold more water in the City of Pittsburgh than last year. Why are we under draught? In all likelihood, the Governor, the republican administration and, unfortunately, those elected officials, democrats in Allegheny County that represent us in the state, they fell into smoking mirrors. Maybe it's difficult to tell surrounding counties and small

municipalities, it sounds like Spikesville, Somerset that you are on their draught condition and rationing water when we're using as much as we can. We missed a golden opportunity.

I'm very disappointed with the republican administration, I'm disappointed with Governor Ridge and I'm disappointed with the other republican leaders in Allegheny County who have not spoken out, like Jim Roddy who sat by. He contributed \$25,000.00 to the Governor. When it's time to stand up for the residents of the City of Pittsburgh, where was he? Keep in mind that we used more water this year than last year. There should not be a draught warning here. We should be taking the lead and selling and marketing our area to the rest of the country saying, come to the City of Pittsburgh, come to Allegheny County, we have plenty of water. We missed the opportunity.

The Chair:

I don't want to compare you to numbers, but I believe weren't we all using 40 percent of our capabilities?

Mr. Ricciardi:

You're absolutely right, Mr. O'Connor and I commend you for knowing that information. As a matter of fact, we usually are -- the capacity we're using is 40 to 50 percent, sometimes we get up to 60 to 80 percent with plenty of capacity at that plant and, more important, where our intake valves are 15 feet below that river. So, the water is going down to the Mississippi and we're passing up a golden opportunity.

The Chair:

I've been in other cities and I'm sure all of you have and somebody says, we're going to show you the river and it looks like a creek. Come to Pittsburgh and I'll show you a river. So, we do have a lot of water and that's a good point that we should be marketing that a little better.

Ms. McDonald:

On a non-water issue, Mr. President.

I just had something very short to announce and I would urge the city residents and commuters who are going through the East Liberty/Oakland area along the Fifth and Washington Boulevard Corridor, there is a left-turn only light now at Fifth and Penn Avenue. The Point Breeze residents have been trying for quite some time, I think you know, President O'Connor, that they've been trying for a long time to get a light up at that intersection. It's very dangerous, it's very busy and many people have to turn onto Penn Avenue. To avoid the danger and the hassle, they turn into the residential area along Thomas, McPherson, etc. It causes a lot of traffic going back and forth with children and residents, they're trying to get out of their driveways. If anyone goes down Thomas, there's a medial strip down the middle that is landscaped. It's really very narrow just getting through with parked cars.

I want to thank Director Reginella for conducting a traffic study and finally getting that light up. I would just urge now the commuters to please respect the people that live around there. Again, they live there. Please go up to the traffic light

at Penn if you're going towards down along Fifth Avenue, go up to the light to turn left on Penn. Please do not turn left onto Thomas if you can help it.

Thank you.

The Chair:

Can you also enter Penn from the other way?

Ms. McDonald:

I'm not sure. Councilman Cohen, I believe I was working on that with him as far as coming from Oakland towards the East Liberty area on Fifth Avenue.

The Chair:

I hope you have it on both ends.

Ms. McDonald:

To turn left onto Penn.

Mr. Cohen:

I think it did include both ends.

The Chair:

You're wiping your own hands making that turn.

Ms. McDonald:

Yeah, it's a very dangerous intersection. So, thank you for the Director.

The Chair:

So, if nothing else, I would just like a quick comment on, I think, a terrible disaster that happened in my neighborhood, a cowardly act, and I'll repeat, cowardly act, of violence to our police station. There were bullet shots at 3:00 in the morning on a very quite residential street. A police station that's opened, it's certainly opened to the public. It's very easily assessable and the person who did this, the coward that did it, was easily to get away because on that street no one's going to be driving or walking their dog or going to work at 3:00 in the morning. I want to mention again I think it's a great idea to have a \$10,000.00 reward. Hopefully, someone who knows this character or group of actors would turn them in.

Since then, I'm working with Councilman Diven who's the head of Public Safety. We've spoken to the chief, the head of the FOP and two commanders who have come up with a lot of suggestions. I know most Councilmembers are supporting our ideas, whether it be bullet proof glass, better lighting or even some security systems in and out the doors late at night.

I think the key is that we want to send a clear message that we have to protect the building and the people in it, especially our police officers who risk their lives on a day to day basis. It really struck home that someone has the gull to do that. We hear about these things in other cities or other countries, but we never thought it would ever happen in the City of Pittsburgh. So, we can use that as a wake-up call to make our building safer. There are underlying terrorist actions. I know some of the FBI agents are working with our people, City County Joint

Ventures to make sure because you never know what will happen in the future. But, we do have to protect our police.

I think that by your support and the Mayor's, we're sending a strong message that we respect, we love and we want our police to be safe. What happens out in the street, they're in danger all the time. The police station is a symbol and if we can't hold that symbol, I think we're really in trouble.

Again, I hope it's a random act, I hope it never happens again. We are looking into possible legislation and I'll give it to Mr. Diven to talk about what's going on. He and I have been talking and I think by next week we certainly would like input from any Councilmembers to see where we're going and what direction we have here to make sure our police stations and our public safety buildings are protected.

Mr. Diven:

I think we've had a number of very productive conversations between myself and you and members of the police and law enforcement community. Right now I'm in the process of drafting legislation. I hope to have it ready to present next week.

Basically, a lot of what we're trying to accomplish is almost parallel to what Councilman Cohen was able to do in regards to retrofitting the playgrounds throughout the City of Pittsburgh. I think we need to take that same kind of approach where we can actually put some money aside and get some kind of comprehensive study which goes out and evaluate all the zone stations and find where the deficiencies and security or

where there's vulnerabilities with each of the stations. Then, we dropped a long-range plan that can be included in the capital budget to set aside money to make sure that the improvements are made for those facilities so that we can provide a safer environment for the police officers.

I had the opportunity to talk with the officer who was shot. The bullet actually penetrated through a door before hitting him in the foot. That's something that it could have been averted totally by having the appropriate equipment, whether that was bullet proof glass or bullet proof door at the front of the station. But, the bottom line is I think we really averted what could have potentially been a major tragedy in the City of Pittsburgh. I think we've gotten off very lucky. I think right now we need to focus on making sure that we're not in a situation where these officers, one, feel vulnerable every time they go into their station and, two, that people know that there is going to be security measures that are going to be attached. Whether that's using video surveillance to make sure that the identification of somebody that would come by a station and perpetrate an act like that would definitely be held accountable.

Hopefully, I'll have that legislation prepared and we can introduce that next week. I'm looking forward to any friendly amendments from Councilmembers. I hope that we can support this and make it a priority for this year's capital budget.

So, thank you for your help.

The Chair:

We're going to go down the line.

Mr. Udin:

Thank you.

Everybody knows that our police officers are the ones who are up all night guarding our communities which allows us to sleep comfortably and safely, our families and our children. So, I am equally outraged that a police station would be attacked in the way that it was. Any measures that we can take to prevent this from happening in the future are well worth it.

But, I also want to express some consternation I have about the way some members of the public responded to the situation which kind of adds fuel to the fire. I know that there's strong pressure to try to guess who done it. But, in some of the media reports that came following the attack, they made it appear, they used certain code words to make it appear that they know who did it and that it is, in their minds, a particular group of people. Like, for example, we thought that it may have been a gang related initiation in drive-by. That creates certain images in the minds of the public as to what neighborhood or community it may have come from. It may have been a gang-related attack. On the other hand, it could have been the Klu Klux Klan. On the other hand, it could have been the Moles Men. On the other hand, it could have been a postal worker. So, we don't know who it is and it doesn't help bring this community together, a community, which is sorely in need of racial healing. It doesn't help to speculate and it doesn't help for the media to add to that speculation by printing unfounded speculation as to who it may have been.

I hope that we catch the ones who did it and I hope that they are dealt with severely. But, until we know who it is, I think the media would do well not to add fuel to the fire.

The Chair:

I was there at the station and I talked to quite a few of the officers and also I saw how big the bullet holes were. They had no clue, in fact they were going through the past few months arrest records. So, they were certainly not indicating it was any group or any neighborhood. They, and I talked to almost all the officers there, they were certainly going over past arrest records seeing if there was something out of line that they might be able to narrow in on.

As far as any gang war, there was really no clue because, again, the cowardly way this was held, the shooting, it was a small building, in that neighborhood it was 100 yards away the person can make three turns and be out of there in less than a minute. I know from the police officers, the only indication I've had, we're not targeting any group or individuals, but it was a very cowardly person and it sends a terrible message and terrible alarm to all of us. Again, whoever that person is, we want to catch them.

Mr. Ricciardi:

Thank you.

Mr. President, I'm very thankful and I commend your efforts and those of Michael Diven in this regard. I think your initiatives are well taking.

At the same time, I just want to say that we can take this a step further and just -- we're reacting in such that I think is correct to make, as you've stated, our police stations and our houses much safer. But, there are communities and certain streets here throughout the City of Pittsburgh that are underseige no different than this everyday. It really brings it home to us, not just the police officers, but this legislative body on what some families experience day in and day out with drive-by shootings, with crime in their neighborhoods and with some other problems they're facing. Not that I'm saying we are not directing our energies to help them, but it really shows that once we experience it we say, wow. But, just think of the communities and the families that are experiencing it on a day to day basis.

I really want to commend, I think, Steven Zappala our District Attorney. He's been proactive in this regard in attending many community meetings and block watches and, hopefully, bringing grants here to the City of Pittsburgh to direct his resources to some of the problems.

Maybe it's time, and I'll talk about it in the weeks to come. I remember during the previous administration where I thought we could have a housing program through the URA where we could give some incentives for police officers to move into other neighborhoods, neighborhoods that would welcome a police officer. For example, right on my street I have a police officer, I have police officers that are surrounding me, there are police officers in the South Hills. But, I wish I could have a housing program where we could give incentives to police

officers where I could have them move into some of my hilltop communities.

I just want to end in saying that it really brings it back home that, yeah, drive-by shootings are still a problem, crime is still a problem and the illegal guns on the street are still a problem. But, I hope we place a lot of our energy into the communities that are experiencing this day in and day out.

Ms. McDonald:

I echo your sentiments that it was very cowardly and it's very scary. It's extremely scary when you have this type of shooting upon public safety officials, the people that are there to protect the public. It wrecks that there is no fear and that there is no care on their own lives or anyone else's lives. When it gets down to that, that's a dangerous situation. When you have people that are not scared, that don't care about themselves. They live day to day. There are many men, young men, in this community who don't think they're going to live past 20 something years old.

So, I would urge -- again, I think we need to have a briefing through the Chair, Councilman Diven, as to really what happened. We have some information. I don't have all the information. I need to know as well. There were shootings upon police officers in my community, maybe a year or so ago which was very scary. The officer had to crouch in his car. If you're telling me that this bullet penetrated a door, I think we need some information as to what's going on here, any information that leads to who did this. Again, it goes way beyond just the fact that there was a shooting. There's

something scary going on out there where they don't care. If it's the police officer, who else. It could be a child, a little kid or anybody.

So, I would ask Councilman Diven if we could have some type of meeting or arrangement as quickly as possible. I really believe a couple of weeks is just too long. It would be nice to have it as soon as possible. I'd like to know what we read in the paper or hear on the news, what type of intervention, what type of restructuring or modification of the facilities would be recommended to protect our officers within the zone stations. But, I also don't want to absolutely make a fortress, they are community stations. There has to be a balance in some kind of way. You have to make sure the officers are protected but, at the same time, not build so much a fortress.

I went through this, we had a lot of violence when I was on the school board and people really reacted. They wanted almost barb wire fencing on some of our schools, they wanted a fortress. I said, guys, guys get a grip. We have to protect but, at the same time, we don't want to alienate, this is the last thing we need, is an alienation of our police officers from the community.

Again, I would like to have a meeting so we can find out what is really needed, what would be a good balance. We have to have a protection of our officers and, at the same time, feel a community oriented. It has to be both ways. It would be nice to have a meeting to discuss that.

The Chair:

I certainly second what you're saying. I think that's the feeling, the officers and the leadership. Again, if every 7-11 can have little video camera, if there was a video camera outside, then they would have known, at least, the make of the car. So, those are the types of things we're looking at.

Mr. Diven:

Mr. President, I will work on trying to set up something with the Chief to get a briefing as soon as possible. I will have my office try and coordinate it with everybody's schedule.

One of the things you touched on about making it a station that's inviting to the public and part of the community. I know that in talking to a number of the officers that work in the zone, one of the complaints was that the windows out front are not bulletproof. In the evening, they have a lot of lighting inside the station, which prevents them from seeing out, but from anybody on the street they can see in clearly. There was actually a point where, at least according to some of the officers that I talked to, they actually tried to dim some of the lighting so they could have more of a visual view of what was going on outside. But, one of the things that came down from the bureau was that they needed those lights on to continue the environment of welcoming people in from the community during the evenings. We can accommodate that if we leave the lights on and had video surveillance outside and had bulletproof glass, it wouldn't be a problem. I think that's an issue that we can address in the capital budget.

I know that some of the officers said that in the evenings when they do their roll call they actually stand with their backs to the windows on the streets and they have no way of seeing out because of the difference between the lighting inside and the darkness outside. So, it's definitely something that has been a question in a lot of police officer minds regarding safety in each of the zones.

Hopefully, this can be the catalyst that brings about some kind of full scale evaluation of the different zones and, hopefully, we can then make it a priority to put the money behind it to make the improvements just like we did with Councilman Cohen's legislation regarding the playgrounds.

The Chair:

From what I understand, there's only really two or three stations that may need this. Some of the other more modern stations certainly aren't as visible as that.

Mr. Cohen:

Let me just commend you, Council President O'Connor and Councilman Diven, for your work on this. Targeting a police station is like targeting the heart of our community, the heart of our civic pride. We need to send a strong message, obviously, that we have zero tolerance for that kind of behavior, that kind of criminal behavior.

I agree with you that it's a wake-up call in terms of the safety of our police stations and the security of our police stations. But, I also think there had been a number of wake-up calls this summer on the public safety issue broadly in our

community. The crime rate and I am doing this really from anecdotal events, not from the actual statistics that I'll be looking up this week, but, the crime rate. At least in my neighborhood, is inching up and I think we need to acknowledge that. The crime rate really hit a multi-year low, but now it is inching back up in terms of what I've been hearing out in the community. We've had community meetings in a number of the neighborhoods that I represent, crime is now getting to the top of the agenda. I've gotten several calls, actually, at my house over the last few weeks about crime in neighborhoods, residential burglaries and break-ins in my neighborhood.

I think we have to acknowledge that that's happening and respond to it. That includes, and I would hope we do this over the next couple of months, looking again at the size of our police force and the deployment of our police force. We do not have community-oriented police officers in all of our neighborhoods. Frankly, we do not have community-oriented police officers in most of our neighborhoods right now. I have six neighborhoods that, at one time, had C.O.P. officers, the police officers actually walking the beat. I think I have two now. So, the Community Oriented Police program needs to be looked at and it needs to be looked at closely. I think we need to do it. I think we need to get officers back walking the beat. I'm not in any sense suggesting that that would have prevented what happened at the police station, I'm not suggesting that. But I think it's a broader wake-up call, too. That is that the crime rate is inching up, we need to respond to it and we need to respond to it quickly and effectively. I hope that now that Council is back in session we'll be doing that.

The Chair:

Thank you.

Anything else on any other subjects?

Hearing none, I want to announce that tomorrow is the Day of Caring so our Standing Committee Meeting will be Thursday, September 2nd at 10:00 a.m.

Can I have a motion to approve the minutes?

MR. RICCIARDI moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MS. MCDONALD moved to adjourn the meeting.

MR. UDIN seconded the motion.

The Chair:

The meeting is adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, September 7, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us today, we have a very special guest, Audrey Miller who's 7 years-old. She's in the second grade at Sacred Heart Grade School. She's accompanied by her mother Pat. She in Councilman Dan Cohen's District.

Audrey Miller:

I pledge allegiance to the flag of the United States of American and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you.

Audrey, we have a special gift for you.

Also, we have a very special guest in the office, Judge Brial Schiller (phonetic) who's in the Superior Court of Pennsylvania. He's visiting us today. Welcome Judge to our Chambers. Thank you, we're honored to have you here.

PRESENTATIONS

Mr. Ricciardi:

We have with us Carrie Harris, our Executive Director of the South Side Local Development Cooperation. We're also very honored to have with us Thomas P. Chalmers who's with Local Union #5. Would our electrical workers please come forward? Is there a representative from Sergeant Electric with us today? I apologize, please come forward, sir.

Your name is, sir?

Mr. Watts:

Gary Watts.

Mr. Ricciardi:

Mr. Watts, thank you for joining us today.

MR. RICCIARDI PRESENTS:

No. 1978 Whereas, the South Side Summer Street Spectacular has been a tradition for fifteen years; and,

Whereas, the South Side Summer Street Spectacular is held to promote a sense of community in the South Side and throughout the City of Pittsburgh; and,

Whereas, the International Brotherhood of Electrical Workers Local #5 in conjunction with Sargent Electric donated electrical services and materials free of charge in the spirit of being community oriented neighbors; and,

Whereas, the sponsors of the South Side Summer Street Spectacular would have had great difficulty in meeting their budgetary requirements had it not been for the generosity of the International Brotherhood of Electrical Workers Local #5 and Sargent Electric; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh commends the International Brotherhood of Electrical Workers Local #5 and Sargent Electric for their efforts and accomplishments in the spirit of being community oriented neighbors.

MR. ONORATO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Colleagues, as you all know, we have a gigantic, a big successful event, in the South Side of Pittsburgh for all of our neighbors and community. If it wasn't for Local #5 and Sergeant Electric in a cost of nearly \$20,000.00, we would have had some difficulty this year.

So, I'd like to ask Carrie Harris if she would please come forward and give us some details about these fine neighbors and corporate responsible types.

Thank you.

Ms. Harris:

Thank you.

I'd just like to say that this is an example of how a partnership that started in a community planning process for the former LTV site really has blossomed. We met Tom Chalmers from IBW and the planning for that site. At the 11th hour when we realized we had an electrical problem for our festival, I was able to call on that new partnership and seek some assistance. IBW and Sergeant Electric came in well above and beyond anything we could have imagined getting that kind of support.

I have to say the competence and level of service that we got from the guys at Sergeant was unbelievable compared to what we had been struggling with in previous years. So, we have a new electrical contractor and new neighbors and we're real pleased with both.

Thank you, guys.

The Chair:

Will Canice Kennedy and Patricia Buckley please come up? Do you want to bring Esther Lapidus with you, come on Esther.

Pittsburgh is well known for making a lot of films. The film we'll be talking about was made actually in my district, the Temptations. You spent over \$2 million dollars in the City on that film. So, it really helps the economy and we've done an excellent job. I think maybe enough people don't know about all the great things we're doing and Canice is a very, very big part of it.

I'll read the proclamation.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1979 WHEREAS, Canice Kennedy is one of three WHEREAS, Canice Kennedy was born in the East Liberty area of the City of Pittsburgh, Pennsylvania, a second generation Irish American; and, sisters, born of a father who worked in the Homestead Works of United States Steel and a mother who fostered her interest and aspirations for the theatre and the arts; and,

WHEREAS, after graduating in the early 1960's from what was then known as the Playhouse School of the Theatre, Canice Kennedy went on to New York City for several years as an actress; and,

WHEREAS, Canice Kennedy was blessed with her only child and the light of her life, Brett James Kennedy, who has followed in his mother's footsteps; and,

WHEREAS, Canice Kennedy has worked in Administrative Theatre for numerous institutions in Pittsburgh, including the Public Theatre, University of Pittsburgh Shakespeare Festival and the Playhouse of Point Park College; and,

WHEREAS, Canice Kennedy has been a Casting Director for feature film, television and commercial film for the past 15 years in Pittsburgh; and,

WHEREAS, Canice Kennedy was nominated for a 1999 Primetime Emmy Award in the category of Outstanding Casting for a Mini-series or a Made for Television Movie for the "Temptations" on NBC for successfully tackling the daunting task of casting with the aid of her Assistant, Patricia Buckley, without whom success would not have been possible; and,

WHEREAS, Patricia Buckley is also a lifetime resident of the Bloomfield/Lawrenceville area of the City of Pittsburgh and hails from a long line of civil servants, including her father and two brothers who were city fireman; and,

WHEREAS, The "Temptations" has also been nominated for five other Emmy Awards, including, Outstanding Miniseries, Outstanding Direction, Outstanding Music Direction, Outstanding Single-Camera Picture Editing and Outstanding Sound Mixing and,

WHEREAS, the Emmys that the "Temptations" were nominated for are honors for the City of Pittsburgh and particularly for the talented and competent acting pool and technical crew throughout the area.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Canice Kennedy and Patricia Buckley on receiving this most esteemed honor, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wholeheartedly support and welcome the film industry in the City of Pittsburgh and furthermore, declares Tuesday, September 7, 1999, "Canice Kennedy Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

I only got one complaint and that's when you blocked off Shady Avenue.

Ms. Kennedy:

That's a tough one. Movies can bring problems with them. They've never been a problem for me.

This was a particularly difficult one and it was fraught with a lot of problems that had nothing to do with the City of Pittsburgh. The script was being written daily so everything including casting was changing daily. The director did, I think, a very noble job of handling a very difficult situation. Pat and I, our difficulty was that the cast, as far as speaking roles, which is what we do, was enormous. It was much bigger than most films that come in. Of

course, we were dealing with the majority of a much smaller acting poll, an African American acting poll. So, not only are we dealing with an African American acting poll, which is smaller, we want everyone to sing and dance and act.

Suzanne Depaz (phonetic), who had been here before to do the Jackson's, also was hoping to get look alikes because we were dealing with real life people. We were extremely successful in finding over 51 union contracts signed out of the City of Pittsburgh, which is rather phenomenal for a movie in a regional city. So, we're very proud of it and we hope that Suzanne Depaz will come back again and continue to do these Motown films. She finds Pittsburgh warm and friendly and inviting and cooperative. We seem to give her what she needs. So, let's hope she comes back.

I cannot fail to mention that Dianna Stout who's sitting back there is also a Pittsburgher and set decorator. She has been, in the past, nominated twice for "Citizen Calm" and "Piano Lesson". So, I share this with her.

Thank you. This was a lovely honor. How nice to grow up here and stand up here today and be able to say thank you.

The Chair:

Thank you.

Esther, do you want to say a few words?

Ms. Lapidus:

I just want to say one thing.

I've know Canice for, I guess, 25 years. She's a very big part of our family. My two daughters, Sally and Maxine, are Hollywood writers and producers. I told them I was going to be here to support her today. She has incredible talent. She's always calm and always there along with Pat. Pittsburgh is very fortunate to have her. I'm here to say thank you.

Mr. Cohen:

First of all, I'd like to congratulate Canice Kennedy for all her hard work and just tell a little about the time when the Temptations were filming here.

We happen to be working in City Council on a new zoning code. There were a lot of citizens who were involved in that new zoning code. When the film came here to shoot, of course, they redid that house on Shady Avenue. It was a very large house and it said Musicville USA or something like that. When that first went up, I got a call from a woman who is on our advisory group, saying, if this is what this new zoning code is all about that you can put a commercial use in the middle of a residential zone, I'm leaving Pittsburgh. I said, no, it's a movie, don't worry.

Thank you for all your hard work. We appreciate it.

Mr. Ferlo:

Thank you, Mr. President.

First of all, I've had the pleasure of knowing Canice for a couple of years and I want to congratulate her and all her co-workers and colleagues. I think she exemplifies a great industry that needs to

be developed here in the City of Pittsburgh.

I want to use this as an opportunity, since I see some property owners and landlord representatives in the audience, and that is a word about Forbes/Fifth Retail. You're wondering, what the heck does Forbes/Fifth Retail and the proposed demolition of all the part of downtown has to do with Canice Kennedy and the film industry.

One of the reasons why this movie was not made in Detroit, which was not too happy, the City of Detroit was not too pleased that a movie about Motown was made in the City of Pittsburgh, has to do with the fact that they have very little historical buildings or their housing stock had been so decimated over the last 30 or 40 years that for all practical being, and Canice can probably speak to this better than I can, that the City of Detroit did not suit itself well to try to make a movie about the Temptations now, the present day, 1998 at that year, 1997 I guess. Because of the housing stock that has been preserved here, maintained and developed, I think we see this continually not only in the housing stock with the situation with the Temps, but other important buildings where movies have been shot basically because of the unique architecture of the City. I just would ask that we keep that in mind. I think it's a shame that we allowed the destruction of the interior of the Mellon Bank downtown. I just hope we keep this in mind when we debate publicly the Forbes/Fifth Retail project. So, a little commercial plug in there for Canice and historic designation.

Ms. Kennedy:

Diane could probably talk to you for hours about this far better than I could. But, it is one of the things that the movies love about Pittsburgh, scouts drive them through our streets and they're just amazed by our architecture, our topography and our geography, of course, our rivers and our bridges. But, the architecture is the prime importance. We, for instance, shot down the PBS, Kevin Spacey and that was before Kevin Spacey became a superstar. Those of us in the business knew him when we wasn't into ultrafame yet.

We went to Forth Avenue, that look for instance, they were just very taken by that because they had to do very little there. They had to fill the street with dirt to make this look like LA, the turn of the century and put some palm trees in where the parking meters were. But, almost every building, the next time you walk past that block, almost every single building with the exception of a parking lot (inaudible) was a turn of the century. So, it was very, very easy for them and that's what makes them come here. The easier it is, the more they save money. The bottom line is they take the city where they're going to save the most money. So, you're very right.

Mr. Ferlo:

Thank you.

Keep on making movies.

The Chair:

Will Bill Sanchez and the Navy League please come up. Would Bill Zay, the Membership Chairman and Dick Surochak, the Executive Officer of the

Relief Crew for USS Pittsburgh please come up.

There's a lot of exciting things that have happened in the last couple of weeks with the Navy League. I'm honored to have you here. We'll read the Proclamation and you can tell us about some of the exciting things that are just going on and some of the things that are ongoing. I understand next month will be a big month, too, with a lot of dignitaries coming in.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1980 WHEREAS, the Pittsburgh Council of the Navy League of the United States and the USS Pittsburgh Relief Crew are celebrating the 15th Anniversary of the launching of the USS Pittsburgh, which was launched on December 8, 1984; and,

WHEREAS, the USS Pittsburgh was later accepted and commissioned by the United States Navy on November 23, 1985, as a fast attack nuclear submarine; and,

WHEREAS, the USS Pittsburgh has patrolled the Atlantic Ocean, Indian Ocean and the Mediterranean Sea thus far in its illustrious commission; and,

WHEREAS, the USS Pittsburgh has been involved in many of the United States intercessions since commissioning and has been a principal platform for the test launching of some of the United States Navy's newest missile systems; and,

WHEREAS, the USS Pittsburgh has, throughout its lifetime, been

recognized as one of the finest submarines in the United States Navy's fleet, proudly carrying the name PITTSBURGH to many parts of the globe; and,

WHEREAS, during this time, the Pittsburgh Council of the Navy League of the United States has maintained a close liaison with the boat, providing support to the families of the sailors on board; and,

WHEREAS, the Pittsburgh Council of the Navy League of the United States has also established a scholarship fund to help provide post secondary education to past crew members, family members and crewmen of the boat and has given, to date, over \$35,000 in scholarships; and,

WHEREAS, the Pittsburgh Council of the Navy League of the United States has demonstrated its commitment to education by participating in and supporting the activities of "Where in the World is the USS Pittsburgh Today?" program.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the Pittsburgh Council of the United States Navy League and its Relief Crew on their successful support and involvement in the USS Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish the crew of the USS Pittsburgh continued success and commemorates the 15th Anniversary of the USS Pittsburgh and does hereby declare Saturday, August 28, 1999, "USS Pittsburgh Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Bill, do you want to say something?

Mr. Sanchez:

Good morning everybody and thank you for giving this opportunity to just tell you something about the Navy League.

The Navy League is a civilian organization established in 1902. It consists worldwide of about 336 Councils of which the Pittsburgh Council is within the top 15 of all the Councils. The City of Pittsburgh's name was assigned to the Submarine SSN720 which, again, as Bob said, was launched in 1984 and commissioned in 1985.

We had a celebration at the Fox Chapel Yacht Club on the 28th where we had in attendance the current commanding officer of Pittsburgh, the current chief of the boat, the 6th former commanding officers of Pittsburgh came into town with their spouses, plus Dr. Sawyer who was the original woman who christened Pittsburgh was there. It's very unique, I think, in fact it may be the only city boat situation in the country in the Navy whereby we have supported a ship for that many years. With me today is Bill Zay who is a membership chairman of the Navy League and Dick Surochak who is

the Executive Officer of what we call the Relief Crew.

We support the activity of the Pittsburgh. There is the program that Bob O'Connor mentioned about where in the world is Pittsburgh today. This is not, where is the City of Pittsburgh, but where is the USS Pittsburgh. It's a program at the Linton Middle School in Penn Hills whereby the students learn about the submarine and learn about the Navy. They will also communicate with the submarine via the communication's link at the NROTC Unit at Carnegie Mellon University. There's a tremendous link in this City. In fact, I don't imagine many people in this room can appreciate the amount of, I would call it the, the Three Rivers Navy Coalition, the Sea Service Activity in Pittsburgh.

In addition to this big celebration on the 28th, we sponsored a picnic for the crew of the submarine in Groton, CT the weekend before. As Bob mentioned coming up in October we have what we call Fleet Week. It's generally built around the Columbus Day parade. He will have present in the City of Pittsburgh on the 13th of October, Admiral J. Johnson who is the Chief of Naval Operations. We will be here for a half of day and will be meeting with some of the people in the City. We also do a number of other activities which are social wise.

As Bob mentioned, we also have a scholarship program whereby the funds we collect through various means are put into the Pittsburgh Foundation and the scholarship is awarded to worthy people. This year four scholarships were awarded to two of the crew of Pittsburgh and two of the wives of the crew.

So, again, I would like to let you know that the Navy League is a civilian organization. We do have people who are military, but it is a civilian organization. The mission is to educate the public on sea services. I just happen to have some applications here this morning in case anybody is interested in joining. We can leave them. I also would like to present to Bob O'Connor a little memento of our celebration of the 15th anniversary, it's just a tee-shirt.

The Chair:

Thank you very much.

Mr. Sanchez:

We do appreciate this opportunity.

The Chair:

Also if anybody wants to get a ride on the USS Pittsburgh, it's available. We're flying on the refueling plane on Thursday morning and maybe we can do the submarine after that.

Thank you.

There are two to be read into the record.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1981 WHEREAS, the American Labor Movement began over two hundred years ago and has sought to improve the conditions for all working Americans and, in doing so, has contributed to the greatness of the United States of America; and,

WHEREAS, the American labor movement, throughout its history, has been dedicated to securing a fair wages and benefits, and decent, safe working conditions for the American worker ~ and in doing so ~ has improved the quality of life for all Americans, and has enriched the American principals of fairness and the democratic process for good jobs, strong communities and a voice for working families; and,

WHEREAS, the first Labor Day observance took place over a century ago and was established as a legal, public holiday in 1884; and,

WHEREAS, the United Labor Day Parade Committee will proudly celebrate Pittsburgh's rich and historic organized labor legacy ~ and ~ demonstrate their commitment to the furtherance of the goals of organized labor with a procession through the Golden Triangle under the themes of "Working Families 2000 ~ Organizing The Unorganized ~ America Works Best When We Say...Union Yes!" marking the 112th Anniversary of Pittsburgh's first Labor Day Parade of 1887.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby extends its best wishes and congratulations to organized labor and welcomes Jack Shea, President, and Joseph Zunic Treasurer, of the Allegheny County Labor Council, the United Labor Day Parade Committee members, Tom Sweeney, Rich O'Malley, Geno Mazza, Patrick Landy, Steve Maza, Butch Burgoon and Pete Lackey, as well as all labor leaders and working American people to the City of Pittsburgh to observe and participate in the United Labor Day Parade on September 6, 1998.

BE IT FURTHER RESOLVED, the Council of the City of Pittsburgh, in honor of all working men and women and the American Organized Labor movement, does hereby declare Monday, September 6, 1999, to be the "UNITED LABOR DAY PARADE DAY", in the City of Pittsburgh!

MR. DIVEN moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

We will now take public comments. Anyone who wishes to address Council, please step to the microphone and give your name and address for the record. You have three minutes to address Council.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh PA 15219.

For your information, many Pittsburgh citizens have contacted me to request that Council hold evening meetings in order that the working public be able to also bring their concerns forward. They have also requested that all Councilmembers be required to be present at these meetings.

The parents are concerned about how the historical school sites were

chosen. Why was Robert L. Van (inaudible) Miller Elementary School, which is now our first afrocentric school and South Vo Tech not made historical sites?

South Vo Tech has a field where \$100,000.00 was spent for turf. Yet, the school is fallen down because of not receiving needed repairs and resources. We parents want to know what is South getting out of the deal with the Steelers who are now using their field for practice.

The community and parents call foul on how the open hearing was canceled. We are demanding rescheduling of the hearing immediately.

I also received another disturbing letter that you must hear. People in the City of Pittsburgh must understand what's happening. It appears to the general public and the North Side community, in particular, that nobody or no one can control your chief of security.

On Wednesday, the 26th of August, sometime in the early evening, it appears that two other police agencies were conducting a police raid of some sort. I am told it was a drug raid in some housing complex that the Housing Authority had jurisdiction over. It was on the North Side near Allegheny Center Mall. I was driving near the area on my way home with two other parents in my car when a school security guard had the street blocked with a school security car. I was told to turn around and go the other way. To say the least, I was upset not only for myself and my passengers, but because of the fact that we were talked down to by school security guards.

I got even more angry when I asked some questions of some of the police of the North Side Station, Zone One, about what was going on with the school security guards who were blocking the street and getting an attitude with the motorist and the community. This is what I was told. It seems that the Allegheny County police and the Housing Authority police were conducting a drug raid and using arrest warrants on drug dealers and users. The Pittsburgh police were not involved. The raid produced several arrests and numerous rifles, shotguns and pistols.

Please may I continue because this is written by a concerned community.

The Chair:

Please summarize.

Ms. Brown:

The Pittsburgh police were not involved. The raid produced several arrests and numerous rifles, shotguns and pistols along with large quantities of narcotics.

My concerns are that the Pittsburgh School Security was on a scene and assisting these other police agencies. I would like to know if the school board authorized this type of involvement with security personnel and equipment because I would like to know if my tax dollars are going for this type of irresponsible conduct, we all want to know.

My understanding is that the security people are not armed and the liability for a disaster would be enormous. The school guards are not carrying guards. The police agencies that are busy with the raids have to watch themselves and the security guards so that no one gets shot.

Then, the school district is transporting alleged juveniles to Shuman Center for these other police departments. Nobody knows --

The Chair:

Please summarize, Ms. Brown.

Ms. Brown:

Nobody knows that they are juveniles because they carry no ID or even if they're from Pittsburgh. We're saying that this can be another lawsuit. It has here also that Robert Lellock, he was one of chief security guards --

The Chair:

Ms. Brown, please summarize. This has a lot to do with the School Board, which has nothing to do with us. But, please summarize.

Ms. Brown:

Do you know what, Mr. O'Connor, Mr. President, do you know something you have done an injustice to the citizens of the City of Pittsburgh. Thirty-two people signed that petition, not just me, 32. You made the decision that you would not let it be held. You had a lawyer, one of your lawyers, who a lot of times I don't agree with, he told you that it must be held, Jacqueline Morrow told you that it must be held. You and some of these other people on your Council made the decision.

Now, it says here that Robert Lellock who was in the incident with the young boy up --

The Chair:

All right, come on.

Ms. Brown:

No, no he's going to be in the Hill District. If he's in the Hill District we are going to picket every school that he goes to. There are other things that are happening. I will be back tomorrow because you're going to hear the rest of this.

The Chair:

We know you'll be back tomorrow.

The next speaker please.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart. I reside at 5811 Penn Circle North.

I'm here with the same problem. It hasn't went away. I'm tired of paying each month for something that I do not have. Nobody is looking to find out what happened to my \$70,000.00 and why I am stuck into the situation that I am. It's a problem that I should not alone be worried or concerned about, but that the City of Pittsburgh should be concerned about. Not only that it happened to me, but is happening to others.

Mr. Hertzberg, you're on the URA Board, one of their board members, right. So, I would like for you to look into it. I'm talking about to investigate. You see, you can't ask the URA to investigate something that they were behind and that they have caused. Someone else has to, another party has to go in there and

investigate. I don't know whether it's going to be the Federal Government or what. But, the poor people here in Pittsburgh should have some confidence in knowing that if they borrow money -- now the URA needs to get out of the housing renovation because they are ripping off small people who make these loans. It has to be investigated.

I'm going to be down here until somebody looks into it. It's getting cold again and I'm caught in a situation where I have paid out \$56,000.00 back in mortgage and here I'm paying for something that I never got because my house is not renovated as it should be, my house is cold in the winter. My house, I cannot have guests, I can't have my children. This past weekend, our family had a bad car accident. I can't bring any of my children to my house because my house is not in the condition.

No one should be paying out \$600.00 a month and live in the condition that I am in and I keep coming down here. I will be coming -- who's responsible, the City of Pittsburgh is responsible. You, the City Council, should be looking into seeing that nobody's being ripped off in this City and the URA, by it being a government supposed to be organization, nobody bigger for them to rip you off. So, somebody needs to really look into this because it's the poor people that's suffering in this City, not the rich. I am a poor woman and I wanted my house renovated. I wanted to make that house a home. I should have the same as anybody else especially when I'm paying out the money that I'm paying each month.

So, I'll be down here each and every day that I can get down here. Yes,

it's hard on me. I should not have to come down here and ask and keep asking to get justice. There's a lot of people that pass right by my house and the condition of my home, but nobody has come in. I'll be back.

The Chair:

The next speaker.

Anyone else wishing to address Council?

Hearing none, we'll move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 1982 Resolution authorizing the transfer of Thirty Six Thousand Dollars (\$36,000) from the Local Law Enforcement Block Grant Trust to the Equipment Leasing Authority for the purchase of two detective vehicles and related accessories.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 1983 Resolution authorizing the transfer of One Hundred Fifty Nine Thousand Dollars (\$159,000) from the

Bureau of Police to the Bureau of Emergency Medical Services, Department of Public Safety.

No. 1984 Resolution authorizing the transfer of Eight Thousand Dollars (\$8,000) from the Bureau of Police to the Bureau of Emergency Medical Services, Department of Public Safety.

Which were severally read and referred to the Committee on Finance and Budget.

No. 1985 Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements to upgrade the 800 mHz radio system for the Emergency Operations Center at a cost not to exceed \$95,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1986 Resolution providing for the issuance of the following warrants: Treasurer, City of Pittsburgh in the amount of \$1,807.78 and Commonwealth of Pennsylvania in the amount of \$15,502.87, for an aggregate amount of \$17,310.65, in payment of the retainage held and Extra Work performed on the Contract with Spadafora Corporation in connection with the construction of EMS Station No. 6; and providing for the payment of the cost thereof.

No. 1987 Resolution Providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$92,319.27 in payment of a PUC ruling that awarded the City a 30% share of relocation costs incurred by Duquesne Light Company in conjunction with the

City's rehabilitation of the Columbus Avenue bridge; and providing for the payment of the cost thereof.

No. 1988 Resolution Providing for the issuance of a warrant in favor of the U.S. Nuclear Regulatory Commission, License Fee and Accounts Receivable Branch, in the amount of \$1,700.00 in payment of the Annual Materials Fee Invoice; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Finance and Budget.

No. 1989 Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing Lower Saw Mill Run Channel Project by \$5,000.00 (\$2,500 City and \$2,500 S-EMA) and decreasing Traffic Signal Maintenance by \$2,500.00.

No. 1990 Resolution Further amending Resolution No. 1018, effective January 1, 1997, as amended, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program; and approving the 1997 through 2002 Capital Improvement Program," by increasing "Park Reconstruction-E&C" by \$28,445.00 from \$600,000.00 to \$628,445.00.

No. 1991 Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital

Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring a total of \$218,344.49 from Fort Pitt Boulevard to various line items.

No. 1992 Resolution Further amending Resolution No. 520, effective August 15, 1997, as amended by Resolution No. 24, effective February 13, 1998, entitled "Providing for a Project Cooperation Agreement with the U.S. Army Corps of Engineers to acquire right-of-way, design and construct the Lower Saw Mill Run Flood Protection Improvements and to commit the City's share of \$3.525 million," by increasing the total project allocation by \$2,525,000.00 from \$1,000,000.00 to \$3,525,000.00.

No. 1993 Resolution providing for a cooperation agreement with the Pennsylvania Department of Environmental Protection relative to the installation of 60 linear feet of grouted R-5 riprap along a tributary to Saw Mill Run.

No. 1994 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the renovation of Carnegie Library Branches for disability accessibility and for the purchase of equipment, materials and supplies for said projects; at a cost not to exceed \$225,000.00.

No. 1995 Resolution amending Resolution No. 169, effective April 1, 1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements for the

Renovations to the City-County Building and for the purchase of equipment and supplies for said projects; and providing for the payment of the costs thereof," by increasing the total project allocation by \$97,952.00 from \$180,000.00 to \$277,952.00.

No. 1996 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Installation of the Computerized Traffic-Responsive Traffic Control System in the Central Business District; in the amount of \$358,933.04.

No. 1997 Resolution providing for a Contract or Contracts, or use of existing Contracts for Street Tree Planting at Various Locations; at cost not to exceed \$77,700.00.

No. 1998 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the construction of the Municipal Courts Facility; at a cost not to exceed \$129,654.98.

Which were severally read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1999 Resolution amending Resolution No. 295 effective June 6, 1997, as amended by Resolution no. 669, effective October 31, 1997 and by Resolution no. 378 of 1999 entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities

for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,105,350.00, chargeable to and payable from the 1997 CDBG Program" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

No. 2000 Resolution amending Resolution Nos. 29, 106, 301, 503, and 643 of 1997, as amended by Resolution No. 303 of 1998 and by Resolution Nos. 380 and __ of 1999, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reprogram funds in City Council and transfer a project from the Housing Authority of Pittsburgh to the Department of City Planning (Urban League). (SPONSORED BY MR. HERTZBERG)

No. 2001 Resolution amending Resolution No. 617 of 1996 as amended by Resolution No. 826 of 1996, as amended by Resolution No. 1001 of 1997, and by Resolution No. 76 of 1999, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 Community Development Block Grant Program" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

No. 2002 Resolution amending Resolution No. 298, effective June 12, 1998, as amended by Resolution No. 445 effective August 19, 1998 and by Resolution No. 7 of 1999, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,134,945.00" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

No. 2003 Resolution amending Resolution No. 381 effective June 18, 1999 as amended by Resolution No. 291 effective June 1, 1998, by Resolution No. 362 effective June 25, 1998, by Resolution No. 453 effective August 19, 1998, Resolution No. 8 effective January 28, 1999 and by Resolution No. 533 of 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account

and providing for the payment of expenses within categories", so as reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

No. 2004 Resolution amending Resolution No. 624 as amended by Resolution No. 1000 of 1996, by Resolution No. 250 effective May 17, 1997 and by Resolution Nos. 77 and ____ of 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which were severally read and referred to the Committee on Housing, Economic Development & Promotion.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 2005 Resolution amending the Rules of Council, Rule IX (a)(2), Committee on Public Works, Water and Environmental Services, and Rule X (a)(2) by deleting references to Water and Sewer. (SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 2006 Resolution adopting the Station Square Tax Incremental Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh, and Making Certain Findings. (Council District No.2) (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

No. 2007 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the Financing, Monitoring, Implementing and Terminating of the Station Square Tax Incremental Financing District (Council District No. 2). (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which were read and referred to the Committee on Housing, economic Development & Promotion.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 2008 An Ordinance supplementing the Pittsburgh Code, Title 5: Traffic; Article 1: Administration; Chapter 503: Enforcement and Control by adding Section 503.14 Regulation of Bicycle Traffic in Downtown and Business Districts. **—(SPONSORED BY MS. MCDONALD)**

Which was read and referred to the Committee on Public Safety Services.

MR. ONORATO PRESENTED:

No. 2009 Resolution providing for an agreement or agreements with a consultant or consultants, and/or for the purchase of equipment or supplies, and/or for administrative costs related to the implementation of the "Youth Initiative Program," at a cost not to exceed \$247,500.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 2010 Resolution transferring the amount of \$16,000 from the Miscellaneous Services Account, Fund 1000, Organization 107000, Sub Class 150, Budget Year 1997, Account 521600 to the Salaries Account in the Department of Finance in order to resolve deficits in the 1997 Finance payroll accounts.

No. 2011 Resolution transferring the amount of \$12,950 from the Miscellaneous Services Account, Fund 1000, Organization 108000, Sub Class 150, Budget Year 1998, Account 526100 to the Salaries Account in the Department of Law and transferring the amount of \$200,050 from the Salaries Account, Fund 1000, Organization 250000, Sub Class 010, Budget Year 1998, Account 511000 to the Premium Pay Account in the Department of Public Safety, Bureau of Fire in order to resolve deficits in the 1998 Law and Fire payroll accounts.

No. 2012 Resolution Authorizing the City of Pittsburgh to enter into a professional services contract with the Pennsylvania Economy League, Inc. for the purpose of preparing the 2000-2003 revenue forecast and providing required follow-up for the City of Pittsburgh. At a cost not to exceed \$20,000.00.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to Unfinished Business. Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ricciardi:

Yes, thank you.

Just an update, Mr. O'Connor and colleagues.

I noticed a few new bus shelters on Fifth Avenue in Oakland that were very clean and very neat looking. I thank the

Port Authority on that. However, Councilman Jim Ferlo, a while ago, came up with what I thought was a tremendous idea that would provide more bus shelters throughout the City of Pittsburgh and, at the same time, revenues through advertising on or within the bus shelters. Either Mr. Ferlo or others or the Administration, I'm curious about the update, where are we on either the bidding or the request for proposal and when can I expect bus shelters in my district?

Thank you.

Mr. Ferlo:

Mr. President, this whole experience has been like having an abscessed tooth with this Administration. It's been two years that I've been working on this. Finally, I am led to believe that there's a request for proposal that will shortly go out. I've harassed every director, every deputy mayor and anybody who had anything to do with this project. Council clearly has given authorization.

It's an important initiative. It would enable a company, most likely someone in the billboard industry, to install bus shelters throughout the City of Pittsburgh. There would be minimal advertising, as Councilman Ricciardi pointed out. The Tree Commission would benefit greatly each year because the revenue from this bus shelter would indeed go to the Tree Commission for tree planting. So, we're waiting. Hopefully, the Administration will move off of dead center.

It's been over two years and we've wasted a lot of time and money. One side benefited as Mr. Ricciardi pointed out.

There's a new company that took over the contract for Port Authority. They obviously have their eye on this contract along with Gateway, Martin Media, Chancellor, Lamar or whatever they're calling themselves these days. So, there's going to be a lot of competition out there for this contract. I think the new goal, the shelters with the glass, is basically what we have envisioned on our bus shelter program. So, I'm sure they're likely going to be a competitor. This RFP is waiting to go out, hopefully.

The Chair:

Your shelter certainly has the highest quality, at least the ones that you are suggesting. I would suggest we send a memo out today to the Mayor and Eloise Hirsh, I believe, who's in charge of sending out that RFP.

Mr. Ferlo:

Finally now it's in General Service Department which is where it should have been for the last six months. I had to point that out to the Administration that it's hard to issue a contract without General Services being involved since they are the administrative arm of competitive bid processes. So, Mr. (Inaudible) in the department is working very diligently in this and I'm confident that the RFP will get out very shortly and we will see bus shelters very shortly in the City of Pittsburgh.

I do point out that the Port Authority Company, I'm not too pleased with them hiring out its own company. But, the shelters are quality shelters. Basically, we had envisioned a similar shelter to grace the highways and byways

of our city. Hopefully, it will happen soon.

The Chair:

And, secondly they need it. The weather is coming. We're trying to encourage people to use mass transit, what is a better way.

Anything else under Unfinished Business?

Hearing none, we'll move to Committee Reports. Ms. McDonald do you have Committee Reports.

COMMITTEE REPORTS

Ms. McDonald:

Thank you, Council President O'Connor.

I don't really have that much to report. Just quickly, on September 30, 1999, the URA and the Rubinol Company will host a celebration for the completion of Washington's Landing at 3:00 p.m. on Washington's Landing. I just wanted to say that most of the units either are purchased or under agreement for purchase. They're selling quite quickly. In fact, I don't know if there's that many left. They're very popular and I just found out that the prices are increasing. No different than the development in Crawford Square. The prices for resale on Phase I of Washington's Landing, the prices have increased. So, people are actually making a profit off of selling their housing which is good for the City, it's all good for the City.

Secondly, for the Home Depot update. Construction on the Home Depot building is proceeding per plan. The footers and foundations of both the Home Depot building and Ventos Pizza are complete and installed. The steel frame for the Home Depot store is up and roofing is being installed. Exterior (inaudible) work has begun. Steel for the Ventos Pizza building frame is on site and should be started within a week. I'm sure it will be American made. Concrete floors for the buildings will be poured in a couple of weeks. Final design of the public space improvements, which include new and replacement curbs and sidewalks is 90 percent complete. This work will be done lastly.

I was sent a listing of all the developments that are going on in all areas of the City. It's just too expansive for me to pick and choose which report. The Gimbels building will be coming up for discussion soon in terms of there is a funding gap, so heads up. There's a funding gap there for about \$7 million.

In lieu of promotion, I'm going to be very selfish at this time and talk about my committee which is Housing, Economic Development and Promotion. Selfishly, I will promote the Ebony Patterson 5K walk for Unity in Homewood Brushton on September 18th at 9:00 a.m. There was a press conference. I'll be beating people up for money, for walkers, for everything.

This is historical for the Homewood Brushton community. It's never been done before. This was an out pouring of action from the students of Westinghouse High School, what can they do. What can they do to celebrate the fact that that school is one of the finest in the

City, to celebrate the fact that their pride in, not only their school, but in their community. What can we do? A memorial of Ebony Patterson. This is what they came up with the coaches. That's why it's a walk instead of just a regular fundraiser. The coaches, of course, promote exercise and so do I, I know about that. I would hope that some of my colleagues here, I know Mayor Murphy, Coach Coward's wife will be walking. We're hoping that this will be, basically a celebration of something good that can happen in one area of the City of Pittsburgh. It goes way beyond just Homewood Brushton. It's about a celebration of what a community can do in response to some tragedy.

Again, I'm promoting that. They need corporate sponsors. They need money. The money will be going into a scholarship and an endowment to continue being able to provide financial assistance to some of the promising students that graduate from the high school. The walk will be to celebrate the community. We're passing every landmark, every historical anything that we can find in Homewood. It is a walk and not a run. Again, I ask for whoever's listening out there for their support. As a walker, it's \$15.00; groups, I forget what groups are; or any type of sponsorship or financial support.

The Chair:

Do you want to say for the general public who Ebony Patterson was?

Ms. McDonald:

Ebony Patterson -- also, before I forget before I even go do that, the money should go to George Westinghouse High School in care of the Ebony Patterson

walk. So, it'll go directly to the high school. We're setting up how the money will be monitored to make sure that they all go into this trust fund and some type of endowment. So, everything is definitely very legitimate.

Ebony Patterson was a very promising junior at the time that she was going to Westinghouse High School and walking home from school was killed tragically. Not by someone in high school and not even by somebody in Homewood Brushton, but somebody from outside the City of Pittsburgh. It was a random shooting and it was not even directed at her. It was a random shooting and she got caught in the crossfire. She was a scholar at Westinghouse High School. She was going to go to college. She was a promising model. She was just a very nice young lady. She was snuffed out right there on the sidewalk. She was dead right there. A lot of kids and a lot of people saw this. So, it was definitely a tragedy that shouldn't have happened, a random act of violence that we do need to address. That's who Ebony Patterson was and this is a memorial for her.

The Chair:

Thank you. You certainly have all our support.

Ms. McDonald:

Thank you.

The Chair:

On the mention of East Liberty, what have you and Mr. Ferlo spoken about? Is there any master plan beyond the Home Depot? I think it's one of the best things that we've done in years, the

development. But, is there anything at least in the process?

Ms. McDonald:

No, I'm waiting for the store to open. I was in the Monroeville store and I was spending money and I wanted to be in the East Liberty store. I'm doing some improvements on my son's room. So, I'm just waiting for it to open. It should be opened late fall of this year unless there's any other specific questions.

The Chair:

My point is are we ever going to go back to the neighborhood streets, the sidewalks and all the things we've spoken about?

Mr. Ferlo:

I think Councilwoman McDonald has pointed out, I know she's been active with the East Liberty Development Group. They've had a series of community input sessions with merchants, retailers and property owners to talk about everything from the changing of the vehicular flow to the so-called circle and restoring it back to a two way street. There's been other discussions about what other kind of retail opportunities will be in or around the Highland corridor at or near Home Depot.

I think ELDI is making a good effort at trying to bring together stakeholders and trying to better plan for the future. It involves everything from infrastructure improvements to vehicular flows to East Liberty and other retail opportunities. I think Councilwoman McDonald has been active on that front.

I think the Home Depot will be a great generator of interest in the East Liberty, Highland Park, Lincoln Larimer community. I think it's a great opportunity for us to look at other opportunities right near the Home Depot. I encourage the residents also if they do have a credit card, if they're lucky enough to have a credit card, I just turned mine into Hechinger's. Hechinger's and Builders Square, as you know, are closing. I just applied for a Home Depot because I seem to almost be like every other Pittsburgher who has an old house and you're always down at the store buying something. So, I encourage people to apply now and try to be supportive of this Home Depot when it opens late this year or early January.

Ms. McDonald:

One more thing. This involves the Larimar Field of Dreams Initiative. Just to let the listening public be aware, we have had a preliminary meeting among city officials, administrators, etc. to discuss how we can move forward with this.

Right now, the URA is going to be working to come up with some preliminary figures on land acquisition and the other cost to get things started which will be presented to the Roberto Clemente Foundation. I will be sending out letters to residents in the Larimar community to let them know what is being done. It's going to take about a month to come up with all the numbers to actually really begin the feasibility process. We've had some preliminary meetings in the community, but the hard numbers are not there. This is all going to be part of the feasibility to come up with those hard numbers to find out which lots are the city's, which are owned, just the logistics of acquiring the

land itself. It's not going to be easy. In fact, it's going to be a little more difficult than the Home Depot because there's more privately held land there.

But, there will be a follow-up community meeting. It may be done before we have the hard numbers. I prefer we send out letters and let people know after we've come up with hard numbers. We'll have another community meeting to discuss where do we go from there.

I want to thank Councilman Udin who's the one that -- he wanted in his district selfishly because he's on the Roberto Clemente Foundation. He came to my office and says I don't have a choice, it has to go in your district. So, thank you Councilman.

Mr. Ricciardi:

I think that was a very detailed report by Councilwoman McDonald. It was great to hear the success of Washington's Landing along with other successful housing developments throughout the City of Pittsburgh. For example, the South Shore, we can't build the units, \$200,000.00 plus fast enough. So, it does show that the partnership with the Administration, this Legislative Body and the URA has been successful in terms of growing the city and in terms of attracting new residents to the City of Pittsburgh, thus, creating new revenues for our tax base. Also, the number of jobs that's been created in the City of Pittsburgh that the City Controller has shown has occurred through our wage tax.

So, I think we have been successful. I think the positive message should be sent out to our residents in terms

of our suburbanite friends and we should continue to market the city because there is good news happening in the City of Pittsburgh.

The Chair:

It's a great place to live.

Mr. Cohen, your report.

Mr. Cohen:

Thank you, Mr. President.

Just very briefly on the Home Depot issue. I think it is very important for the City to move a little quicker in supporting the whole East Liberty area around the Home Depot. We just had, for example, just to show you how it will effect my district, we had a meeting of the South/Highland merchants to talk about all the needs there including parking needs, restoration, etc. We believe that with the Home Depot coming in it will be helpful even to that North Shadyside area. But, the City has to come in and support it. I know the Planning Department has been working on this plan for awhile to bring back the grid pattern of our streets, etc., but I think it has to move more quickly. The restoration of the Highland Avenue bridge has got to move more quickly so that Home Depot becomes like a stone that's dropped in a pond and the ripple effect becomes one that's positive for the whole city and the whole East End. So, anyway that's what I wanted to say about that.

As far as the General Services Department, let me just quickly run through a few things that have happened recently. Under the area of facilities, fleet

and also very briefly on the cable franchise renewal with TCI, now AT&T.

On facilities, right here in the City County Building, I think all of us know that a lot has been done under the auspices of the General Services Department. The renovations to the Grant Street elevator interiors are now complete. I think all of us, because we use those elevators everyday, are certainly pleased with how those look.

Secondly, --

The Chair:

Mr. Udin do you want to have a ribbon cutting for the elevators. I think we ought to have a big celebration on that.

Mr. Cohen:

I just hope those little channels at your feet, as you walk in are also clean. I know Councilman Udin will certainly point out if they are not.

The Ross Street freight and passenger elevator modifications continue. Hopefully, those will be completed soon.

The newspaper box and racks have been relocated through an arrangement with the Newspaper Taskforce, which Councilman Hertzberg initiated. The cleaning of the lobby walls and plaques and fixtures, many of which are very historic. I ask that everybody go down and take a look at them because it shows what a historic and important building this is, that is complete. The lobby kiosk, which I believe, is Councilman Ferlo's initiative, is in final design and installation is to begin next month. Hopefully, it will

happen a lot more quickly than bus shelters. The 5th Floor women's room has been delayed, but work is going to be resumed next week. So, that's really it for the City County Building.

As far as other facilities there's one point of note and that is that Engine 20 and Medic 12 station in the Hays section of the city, renovations have begun on that station. I think they should be completed relatively soon.

A couple of things about the fleet. Saturday, September 18th, which is a week from this Saturday, the annual City auction will be held. Twenty-four Harley Davidson police motorcycles with sidecars are going to be auctioned off as are used police vehicles and trucks. Anybody who wants to get on a Harley should get down there on September 18th. We've also placed into service eight new bi-fuel vehicles. By that I mean vehicles that both liquid gasoline and natural gas so the City continues to do its part for cleaner air.

The plan that we put into place back when I was chair of Public Safety to replace all police vehicles every three years, I think that's continuing under Michael Diven's leadership. Three new patrol wagons have been put into service just this week.

On the cable franchise renewal, we could talk for an hour on that, I will not. Let me just say this, the negotiating team has been negotiating very hard with TCI and AT&T now probably for the last year. The agreement expires on October 31st. Most of the issues have been resolved, there are a couple that haven't. One of the major issues that has not been resolved is the community access proposal. The City

presented a proposal to AT&T, it was actually the AT&T Broad Van and Internet Service, which is a separate company under the AT&T umbrella, but it's separate from TCI, obviously working closely with TCI. We presented them a proposal that was really a model community access proposal. It includes extending fiber optic lines into the city, all the schools, and library buildings around the city. It involves the creation of a city institutional network so that all of the buildings within the city including police, fire and paramedics can communicate with each other on a separate high speed internet line. It includes cable modem service for our senior centers. Anyone who thinks that seniors don't want to surf the internet, they're wrong, they do, not to mention keeping in touch through e-mail with their children or grandchildren, some of whom are out of town. So, senior centers, rec. centers and also neighborhood based community groups. It includes increased funding for PCTV, which if you recall the public hearing we had, PCTV was amply represented.

AT&T broad band an internet service center response a couple of weeks ago. Without getting into detail, let me just say that that response was completely unsatisfactory. On September 1st, Jacqueline Morrow sent a letter back to Jim Major who is the regional vice president over there saying that it is unsatisfactory and that we expect to have a better response from AT&T soon if they want this negotiation to continue.

So, that's really where we are on a number of issues, Mr. President. Thank you for the opportunity.

Mr. Ferlo:

Now, I feel like I'm putting my colleague on the spot, Councilman Cohen, just a couple of follow-up issues. First of all, most of us have not been too aware and involved obviously on the TCI and AT&T negotiations. I hope at some point, prior to us being expected to vote on a Wednesday session, we will get an update either closed door, since it is a contract, or publicly, and I hope it's publicly. So, I would ask that you have some kind of an update.

I'm concerned about one issue and I don't know if it's accurate or not. But, to the extent that we are providing cable internet services to the public school system in the City of Pittsburgh and if that is at all part of the discussions with AT&T and TCI, I would ask that we also equally treat the Catholic School System and the Parochial Private School System, which in the city almost educates as many young people as the public school system itself. So, I don't know where that's at. I've been lead to believe that the diocese, in particular, have not been approached, the Catholic School System in particular, with any discussion about the catholic schools being involved in the internet access accessibility issues that we are now negotiating with AT&T and TCI. I don't know if we want updated now. I was going to ask Councilman Cohen if he could look into that and see how we can involve them also. I think our goal is if we're going to do it for schools, we should do it for all schools in the city, be they private, parochial as well as public. I do note that the catholic schools do benefit as much as public schools from the cable communication moneys that come fairly to the state to purchase computers so I don't see why there should be any exclusion. In

fact, a lot of our kids, in my district and I think all of our districts, a lot of the kids go to the parochial schools.

Mr. Cohen:

I agree wholeheartedly with Councilman Ferlo. He's right, there is a separate pot of federal money, not directly related to this, I think it's called Universal Access money for that purpose that I know the schools have taken advantage of.

The city would not be providing this to any of the schools, public, parochial or private schools, AT&T would be working out an arrangement with the school system and its one in which the school system will have to pay for it. But, I absolutely agree that anything that is provided for public schools should be provided to the parochial schools as well. So, I'm glad that he brought that up.

Just on the issue of keeping Council informed. We did have a meeting in June, I believe it was, a couple of months ago. I know that Councilmembers were busy so we actually only had a couple of Councilmembers attend. I'll put another one back together so we make sure everybody on Council is briefed on these issues. A lot of them are complicated and important issues. So, I certainly don't want the Administration to present with an agreement without a lot of background briefing involved.

The Chair:

I see it as a little on how Councilman Onorato handled the planning. He had updates with the different planning organizations regarding our new zoning bill. He informed us and

had meetings set up every month, not only in the neighborhoods but with us to keep us updated.

Looking at the internet and fiber optic, how do we include all children, like all senior centers, libraries? So it would involve all the schools so we can really paint it with a pretty broad brush. We would hope that it would be in every library, Y, senior center, our rec. centers, we have 18 rec. centers. All those things hopefully would be in the mix.

Mr. Cohen:

I said this before here. I honestly believe that this issue is more important than the building of the stadiums and even the Convention Center. What it will do in the end is increase our ability to exchange information in commerce into the next century and will make us a smart City. That's what we need to become. Once we're a smart city, not only will we have smart kids who grow up and reach their highest potential, but we'll also be able to attract more business to the City.

The Chair:

The jobs will go where the educated workforce is.

Mr. Cohen:

That's exactly right.

The Chair:

I want to commend you on your leadership on this. I believe we should have dialogue now. I'd hate to see it come to the table then try to put everything in at

the end. Then it'll look like we're an adversary instead of being cooperative.

Mr. Cohen:

I will work with you, Mr. President, to schedule something right now.

Mr. Ferlo:

On a second issue, Mr. President, Councilman Cohen if he is willing to help me follow-up on this.

I know the city code for many years and, obviously, it was enacted many years ago, but it is in place currently, precludes city employees from being allowed to participate in public auctions that the City is sponsoring. There may be good reason for that and may be there's not good reasons. I know some city employees do manage to bid through friends and acquire vehicles. I don't know what the logic of that is and what the genesis of that ordinance is. I don't know if it's state law and its replicated in our municipal code. But, the more I think about it, I don't know why we don't allow city employees the right to bid on equipment as much as anybody else.

I agree that if somebody is involved in the Equipment Leasing Authority or in General Services and it's an employee that has something to do with deciding that a vehicle has used its life up and needs to go to the auction block. I can understand why certain people have some chain of command on the vehicle should not be allowed to participate, but the general class of city employees, 4,000 plus, the authority employees, I don't understand the logic of that. I think they

should have as much right to participate maybe even more so. I think they should have the right to bid on public auctions, be it vehicles or whatever else as much as anybody else.

I wanted to know if Councilman Cohen could find something out prior to the 18th and if we don't think it makes sense, as a policy, and if it's not state law I want to suggest that we change that in some way or modify it. Unless somebody can explain some good reason why employees should not be treated the same as any other taxpayer in the City of Pittsburgh. I was wondering maybe -- nobody's here older than me as far as Council, but maybe somebody out there can give us some hint as to why that's in the code. I don't know if Linda Johnson-Wasler knows anything about. But, if I can ask Councilman Cohen to check into that prior to the 18th. I'm not particularly thinking about the Harley Davidson sidecars. But, I'm sure we'll have a lot more people, I think, bidding in these auctions including City employees.

We also don't encourage -- I know employees that have purchased things because I've seen vehicles out in the street that are actually owned by city employees. So, rather than encourage people to be bad, why don't we just find out if this policy makes sense anymore. I don't know that it makes sense anymore. So long as they're not involved in the leasing of the vehicle, prematurely, I think they should be allowed to bid.

The Chair:

It's an open auctioned bid and also it might encourage some employees to take better care of the equipment.

Mr. Ferlo:

I'm just curious if we could find out about that part.

Mr. Cohen:

I wonder if we could have an inquiry with the Law Department as to where that comes from. I really don't know whether it's a statute, I don't think it's in the City Charter.

Mr. Ferlo:

It's in the City code, but I don't know why it's there.

Mr. Cohen:

Is it actually in the City code?

Mr. Ferlo:

Code of Ordinance.

Mr. Cohen:

Okay, I'd be happy to look into it.

The Chair:

Thank you.

Mr. Ferlo:

Thank you.

The Chair:

Moving to the Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 2013:

Report of the Committee on Finance and Budget for September 2, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1130:

An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would supplement the City of Pittsburgh's Home Rule Charter, Section 228, Independent Citizen Police Review Board by including the Housing Authority, City of Pittsburgh, Police Department. (SPONSORED BY MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the Bill, is there any discussion on the Bill?

Mr. Ferlo:

Mr. President, in light of the fact that the Mayor's (inaudible), Mr. Craig, has already condemned this Bill and considers it (inaudible), I suggest that we just table the Bill. What's the point of me amending it suggesting that they actually think about this issue? It's not going to go anywhere just like everything else that this Administration does. So, I think we should just table it. I don't have the

energy to argue with the Mayor and his (inaudible) about this policy. We'll wait for a lawsuit. When somebody in the Housing Authority is being treated as a second class citizen and wants to raise an objection or concern about the conduct of an officer, which may or may not possibly happen, I'm sure there'll be a lawsuit and we'll have to deal with it that way because that seems to be the only way to get things done around here.

So, I'd like to just suggest that we table the Bill because I don't have the energy to argue with this Administration and I'm sure it will be an issue in the Mayoral election.

Thank you.

MR. ONORATO seconded the motion.

The Chair:

Any discussion on the table?

Mr. Ricciardi:

We're really not permitted discussion on the table, but I think we should have discussion on this Bill.

Mr. Ferlo did you make a motion to table?

Mr. Ferlo:

If you want to be technical, I'll make a motion to approve for purposes of discussion and, then, motion to table.

Mr. Ricciardi:

Well, thank you. That gives me just a second.

The Chair:

Motion for discussion right now.

Mr. Ricciardi:

Discussion.

I disagree with Councilman Ferlo, I don't think we should table this Bill. I think this Bill should be amended the way that we had agreed upon during the Committee Session. Even though it's not initiated or may be implemented by the Administration, it puts us on record and it gives us an opportunity to vote on our position, on the bill.

I think residents in public housing through a referendum vote initiated by several members of Council and others regarding a Citizen Police Review Board was very powerful. I did not look at the election results, but I think if one looks at the election results, because the entire City of Pittsburgh supported it wholeheartedly, you would see that people who live in public housing believe that they should be a Citizen Police Review Board. Now, who are their police officers? Their front line police officers are Housing Authority police.

So, I'm a little disappointed with the sponsor of the bill. I think he's done some tremendous work in this field. I think it should be properly amended, I think we should go on record requesting the Administration to work with their appointees, they basically control the Board, and a Police Review Board should be initiated as soon as possible. That's my position.

Mr. Udin:

As I indicated at last week's meeting, I did discuss the issue with the Housing Authority. The issue will be on the next meeting of the Housing Authority Board. It will be discussed.

Obviously, the Housing Authority's attorneys believe the changing of the Pittsburgh Charter does not affect the Housing Authority and that the City of Pittsburgh has no direct authority to require the Housing Authority to create a review board. But, the Housing Authority itself is willing to take up the discussion and they will be taking it up at their next meeting.

I have a question, however. I'm confused on what the current status of the motion is and what we're discussing. What is the motion?

The Chair:

He changed the motion to motion for discussion.

Mr. Udin:

Motion to approve for discussion?

The Chair:

For discussion.

Mr. Udin:

Thank you.

The Chair:

Discussion is over.

Mr. Ferlo:

My motion is to table the Bill.

MR. ONORATO seconded the motion.

The Chair:

Do you want to do a roll call vote on it? Roll call on the table.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Ms. McDonald
Mr. Diven	Mr. Onorato
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	

NOES:

Mr. Ricciardi	Mr. O'Connor (Pres't)
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AYES Seven NOES Two

And there not being a sufficient number of majority votes of Council being in the affirmative, the bill was tabled.

MR. HERTZBERG PRESENTED:

Bill No. 2014:
Report of the Committee on Public Works, Water and Environmental Services for September 2, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1856:

Resolution vacating Holtz Way and an Unnamed Way in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the Bill, is there any discussion on the Bill?

The Bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

The aye and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bills having received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 2015:

Report of the Committee on Public Safety Services for September 2, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Bill No. 1896:

Authorizing and directing the City Solicitor, Director of the Department of Planning (Zoning Section), and the Director of the Department of Public Safety (Bureau of Police and Bureau of Building Inspection) to establish a Landlord Responsibility Initiative.
(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Yes, thank you Mr. President.

Colleagues, I thought that the initial discussion on the proposal before us was very productive in terms of talking about other issues that were very important to city residents. Number one, the C.O.P. Program. That's something I think in the future either through post-agenda, the Public Safety Chair, Mr. Diven or especially during the budget deliberations that we need to address. It appears that this legislative body and residents of the City of Pittsburgh have different expectations of the C.O.P. Program. So, I look forward to talking about that also.

Also, I thought it was very productive that it appears that there are other neighborhood issues that are very important to us and to taxpayers that need to be addressed.

Let me first state that I believe Mr. Cohen stated rightfully that, yes, the phone calls to landlords disturbing their peace is a very important part of the legislation before us. However, at the same time, as Mr. Cohen stated, it was, hopefully, an entire package that the Administration should draught regarding landlord responsibilities initiatives throughout the city. I don't want to lose track of that. The phone calls to landlords is only one aspect of that.

Let me say that I was very pleased to see the positive response from our Solicitor in terms of how it will be done, the process, and I thank her for that. I also received a call from Deputy Mayor Sirabella who did have some concerns but is willing to work with this Legislative Body. I received a very positive call from two members and, I believe, the executive director of an apartment associate who all three members stated that they believed that they were all on the same side in this. I thought that was very positive.

They brought up a very important point. As a matter of fact, I'm not sure if she's still in the audience. But a woman, her first name was Norma, who came from Mt. Lebanon who owns several properties in the City of Pittsburgh. As a matter of fact, she stated to me that she was legally blind and she took a few buses to get here. I think that showed her position as being a responsible landowner. Her problem was that when she moved to evict, she didn't have documentation. Documentation because our police officers at times do not file police reports when they're called to an apartment building. Also, a board member brought that up to me within the Apartment Association that they would

like to work with us to make sure that they have the proper tools to evict those tenants that are not responsible tenants.

So, we have the Apartment Association and others who believe that they would like to work with us on the same goal. Now, with all that stated, I don't want to lose track of the people who are still being affected by loud noise. I received several calls, hopefully, all of you have.

I received a letter this morning that was hand delivered. I think some of the issues here, it's only three sentences if I could just read them. It says, with much more passion than me. It says, "my husband and I have continued to live with the aggravation of extremely loud stereo levels as well as all night parties that began back in '98." I bet many residents of the City of Pittsburgh would tell you the same statement. She goes on and says, "my argument is this, we, my husband and I, have taken every reasonable step to let our neighbor know that this loud music and partying bothers us. All we want is a little peace and quiet." I bet you thousands of city residents will tell you the same thing. She goes on to say, "a little music isn't bad, neither is having a few friends over. It is just as important to remember that there is more than one person living, however, in the neighborhood. We are all different and this is reflected in our lifestyles."

This really goes back to what Councilwoman McDonald was saying. Then she continues and says, "however, being different from one another isn't bad, inconsideration is the culprit. The situation simply requires a little balance and consideration for others." To

continue, if I could just read one more sentence or paragraph. It says, "we feel that our rights to safe and reasonably quiet living environment have been repeatedly violated. We realize that this is not the most comfortable situation for anyone, however, we hope that it will be seriously addressed immediately." I think we are going to address it and we think we're going to address it very seriously.

My recommendation is that we recommit this bill. The reason for this is I personally do not believe I am backing away from having a landlord responsibility initiative, especially the issue of phone calls to landlords. I think it's a very effective tool as Mr. Onorato and others have brought forth. However, I just don't want to pass a bill that is not going to be acted on. It goes back to what Councilman Ferlo has stated. We could pass a number of bills, but if the Administration does not act on it are we really serving the public responsibly.

What I'm thinking about and the Executive Director of the Apartment Association, Jim, and his last name escapes me right now and I apologize for that. I think it goes back to what we did. I think Mr. Cohen is the person who really had a lot of initiative on this. When we had the taskforce on the trash removal and trash fees. It appears that we came up with something very responsibly.

What I would like to do is recommit this bill, hold this bill tomorrow for four weeks, and this Legislative Body will convene a taskforce. From there, I think we should step away. I think the Mayor's Office, their Planning Department, their Law Department, their 5,000 employees where we only have two

or three each, should meet with landlords with community groups. with blockwatches and with interested residents and come up with a landlord responsibility act. One that will be acceptable to this Body, one that will work, then, hopefully, we might not even have to pass this Legislation. They could just do it in terms of their own policy.

But, with all that said, I still want the phone calls to be part of the Landlord's Responsibility Initiative because I think they could work. With that said, hopefully, we still will have support for a very strong, tough bill, however.

Thank you. I look forward to see if there's any comments on it.

Mr. Udin:

Thank you.

I want to thank Mr. Ricciardi for being willing to recommit this bill to allow for further discussion and development. One issue that I brought forward last week, if you'll recall, was that our focus targeted one specific behavior to the exclusion, perhaps, of other behaviors. Like we focused in on loud music, but we didn't focus in on other behavior that can be just as disturbing. We want to make sure that what we develop is uniform and broad enough to include anything that would be a disturbance to neighbors and not just music.

In addition, the recommitment of the bill is wise because it gives us an opportunity to have further discussion with the police department so that we understand better what their dilemmas are in trying to respond to a situation where

they get a call about loud music but, when they get there, there is no loud music. What is there to write and who is there to arrest? It's very difficult and we need to get better understanding.

Finally, I would suggest that we need to look carefully, I think -- a lot of these properties are controlled by agencies. I'm not sure whether or not the call would go to the owner of the agency that controls the property or the actual owner. Because oftentimes on our tax records it is not the owner of the property that's listed as the owner, but it's the real estate agent that is listed as the contact for the owner.

So, we just need a little more time to look into it deeper. I hope that the Mayor will have public hearings before their recommendations are finalized in order to get maximum input and intelligence on this matter.

Mr. Ferlo:

Thank you, Mr. President.

I think Mr. Ricciardi's bill has sparked a healthy debate that needs to go on in this Council and, certainly, in the communities that we represent. I'd like to reiterate some concerns that I raised last week, though.

First of all, I think any emphasis or bill that focuses solely on landlord needs to equally focus in on problem tenants. I have hundreds of apartment units in my council district. I have several nuisance tenants. So that tells me, one, I have a lot of great tenants and I also have a lot of great landlords who happen to own property. Some of them live in the city and some of them live in their own house

and rent space out and some live in the city and rent three neighborhoods away. I have some landlords that live outside the city who rent a lot of quality apartments in the City of Pittsburgh.

In any one of our neighborhoods, I don't care which neighborhood we're talking about, there's probably one to three to five so-called nuisance situations. What I think really is here that should be discussed, I raised this last week, again I think Councilman Ricciardi is on target. I think he's only looking at one issue. He kind of spoke last week and today about late night noise and music glaring. Really I think the whole focus really has to be what is the livability of our neighborhoods in the communities and what is this Administration doing to preserve and protect and enhance the livability of our neighborhoods. I would say if you had a barometer on the issue of the livability of our communities as it relates to the advent of the Mayor Administration, that barometer is going this way, down. It's for a bunch of different reasons.

Let's go through our own experience. Every one of us attends blockwatch meetings and neighborhood council meetings throughout all of our respective districts. Mr. Ricciardi points specifically about landlord tenant issues and specifically about late night noise. But, usually if you have a problem tenant, you have any number of other kinds of problems from building code problems to litter and garbage being left out on the street early or in a non-caring way where the environmental service is not able or will not pick up the garbage.

So, it's really indicative of a bunch of other problems that are going on. I

have to say that if we want to be serious about the issue of late night noise or problem landlords and/or problem tenants, let's look inward and reevaluate our performance. I'm talking about city government in particular.

I'll use a bunch of examples. Now, I realize that environmental service workers do not want to pick up garbage that's been left out and not bagged properly and it's been out in the rain for days and sometimes it's left there for a couple of weeks and it has urine on it. For lots of different reasons they're not going to pick it up. So, everybody else in the block has to suffer. This came up week in the Polish Hill community at one of their neighborhood meetings. So, everyone else on that street has to suffer while all that garbage is left here by this problem tenant or an absentee landlord who doesn't check his or her property once in a while.

There's an easy remedy that. First of all, does somebody go out and take a picture before they pick the garbage up? Environmental Services or somebody in that department should be the pick up of last resort. They should go out there, take a picture of it, pick it up and get rid of it so the rest of the street doesn't have to deteriorate and get frustrated, site the property owner, get him in housing court and begin to change people's behavior. Instead, it just sits there, the neighborhood gets upset, they get frustrated, they get an attitude like I want to get the heck out of the city and it just becomes a compounding problem that we're not addressing. We should immediately pick up the garbage, we should take a Polaroid picture of it and that should be enough to write a citation and prosecute somebody in housing court. In the meantime, pick the

garbage so the neighborhood doesn't feel like the whole place is going to hell. That's one example.

The C.O.P. initiative stinks. It's gotten completely away from what we originally intended it to be. C.O.P. was meant to be community organizers/police officer. It was meant to do everything we do only we don't have a badge. We should send those C.O.P. officers to organizing school, to community organizing school. Foot patrol, as Councilwoman McDonald pointed out last week, beat control or foot patrol is only one aspect of a C.O.P. initiative. These officers were to be out there working with blockwatch groups. They should be targeting the house that Mr. Ricciardi's pointing out in South Oakland playing late night music. That officer should be out there at 2:00 a.m. knocking on that door and in their face changing their behavior. That's just one example.

To me the Administration is losing the ground on the issue of livability of our neighborhoods and we are losing the ground and we don't need to be. We better take back the reigns, take back some control here, let's get the C.O.P. program refocused and re-energized, let's deal with the problems that we see whether it's garbage -- when's the last time we wrote a citation for dog shat or litter on the street. If you have property owner or businesses in the commercial corridor that keep littering and they don't clean up their sidewalk, cite them, give them a ticket, change behavior, change people's conduct. This is what people out in our neighborhood want. They want government to restore some social order and some stability in this city. This Administration has lost that ground.

To their credit, they're so pre-occupied with Plan B, Plan A, the Penguins, the Alcoa Corporation, you name it and they're pre-occupied, to their credit. They have lost the battle on the issue of the stability and the livability of our neighborhoods. We see it and if you don't see it at your neighborhood meetings then take off your blinders. So, we better get refocused, get these department directors to think differently, think outside the box as Councilman Udin likes to talk about, and start doing what we have the capability of doing. Don't let a whole neighborhood block go down because one yo-yo puts their garbage out on Saturday for Tuesday pick-up, cite the darn person, change behaviors. People would feel like the city is caring. If the garbage is there on the street, take a picture of it, cite the property owner, but pick it up, get it the heck off the street. Don't let it sit there and Councilman Ferlo get the pick-up truck and has to pick it up.

We are losing that battle and that's where this Administration is vulnerable and they better get refocused. I'm sick and tired -- we have great neighborhoods in the City of Pittsburgh. But, I see signs in neighborhoods that I represent where people are having the attitude now, I want to get the heck out of here. That's a shame.

So, I don't care how many ribbons you cut in Washington's Landing, if I start losing Morningside and Polish Hill and Highland Park and Garfield and all the neighborhoods that I represent, then we're in a sad state of affairs. So, we don't need to be.

Building Inspection is probably in violation of state law. It takes in a million dollars more than it's supposed to in fees and fines and tickets and you name it. That money should go back to hiring inspectors. We should have people out there citing people. If we have people running dogs in the park and they're shatting their dogs in the park, give them a hundred dollar citation. The people in the neighborhood would appreciate that. If we have people that are littering, cite them. If we have people that are up late at night, tell that C.O.P. officer to be there at 3:00 a.m. in the morning and give him or her a pass day on a Wednesday. I'm sure they'd appreciate some time off to do something with their family during the daylight, visiting the zoo. Just start thinking and caring about the neighborhoods, Mr. Mayor and his Administration, and we can get refocused.

So, I don't care about this bill because it will be another great thing we do and it's not going to have any meaning.

That's how I feel about it.

Mr. Onorato:

Mr. President, I want to thank Councilman Ricciardi for bringing this issue up. It's another way to attack the problems that we all now face in our neighborhoods. We've been dealing with this for about two years now. I've been screaming about the quality of life, Councilman Ferlo calls it the livability. Councilman Cohen had the signs you put up for the problem property and we all supported it. You can see all of us have been dealing with this over and over again.

I will have to vote no on the recommittal today. Only because last week I stated that I supported this bill because I believe there's a cancer growing in our neighborhoods and in our city. I look at this as another trip to the doctor's office. Anyone that has cancer that says I'm going to put off the doctor's visit for a month might wake up dead one day. This city is heading in that direction. This city is going to die if we don't start attacking the quality of life issues that are in front of us.

The good news is we have a lot to save. This city is viable and it has great neighborhoods, but we could lose it all. I just read a disturbing story about the City of Baltimore, they're not addressing it, how fast they're losing people left and right out of the city. This city still has middle class life going on. If anybody doesn't want to believe it, they have their head in the sand. We have a big problem in this city. The quality of life should be priority number one. It's not even in the top 10.

I'll give you an example to elaborate on Councilman Ferlo's point of view. I had a situation where I had a problem property, just one in a stable neighborhood that was loaded with litter. I called City Source, City Source called back and said I can't do anything we don't own it, it's privately owned. I need you to get an order out of BBI to do it. It went on for at least three weeks to a month before I could get any action with all the different paper chase going on within the city. The residents of my neighborhood in my district, they don't want to hear that as an excuse. The call was in 30 days ago. Why is this property still like that? They have every right to be upset.

We need to be able to respond, I don't care who owns the properties, I don't want to hear any excuses of what's legal and what's not legal. We should be picking it up, taking pictures and sending a bill to the owner of these properties and let them take the burden of hiring an attorney and suing us saying it was illegal. We can't tell the residents of this town anymore we can't do it for this reason or for that reason because they don't want to hear it. They deserve better and we better wake up because one day there's not going to be a city to take care of much longer.

The quality of life in this city and all the cities in this country, is priority number one. If you look at certain cities, you don't have to recreate the wheel. If it could happen in New York, if it could happen in Chicago, where they've actually turned around this issue of quality of life and made it a priority, and we're a city much smaller than those cities. We have to wake up tomorrow and this has to be the first thing on all of our agendas. It shouldn't be postponed. I don't need four weeks to debate it. I think what we should be doing is meeting hourly with the Administration to figure out exactly what we should be doing to attack this tomorrow.

Councilman Ricciardi gave us a great idea. I know what I'm going to start doing when the calls come into my office and add to the many other attacks that I do for problem properties, this is all public record for everyone listening. You can call over to the Court of Deeds, you can look up the address of the property, and you can find out the owner of record. There's a good chance you could find their numbers in a public phone book.

Whenever we can do that, I'm going to give it to my community groups and my residents and I'm going to call. When I get a call on a problem property, if I can find that owner, I will be calling, just like Councilman Ricciardi does. I will be having my residents and tenants call. I can tell you right now where some of these landlords live, they don't need a vile. Fox Chapel, Upper St. Clair and so on wouldn't tolerate one problem property for a day. We do it for months here. They wouldn't tolerate it for a day because it's not acceptable in those neighborhoods, why should we be any different.

I was looking at this letter Councilman Ricciardi had and they make reference to the tenant, you should accept some of this because it's part of urban living. It's says when does urban living mean you should have trash and you should hear noise from radios three doors down. That has nothing to do with urban living. It's called being considerate, quality of life. There's no reason why you can't have peace of mind in the City of Pittsburgh and urban America. This is common decency and respect.

What's happened here, and we talk about changing behavior, is that we have sent the signal that this is acceptable behavior in our city. You can do whatever you want, it's the wild west and whatever you want to do go do it. We're going to wake up in a short period, in all of our life times and I'm going to wonder why we don't have a tax base, wonder why we don't have a school system and wonder why we don't have any services that work, because no one stayed, they all left. They could all be coming in on these great new highways, the PNC Park and the new Steelers Stadium and going right back in

their communities and collect their rent checks from the wild facilities they left in the city. I'm not going to tolerate it.

I think that the signal should be sent out BBI has to be aggressive, City Source has to be aggressive. Clean it up and ask questions later. Bill the owner and let's not debate this any longer because the time is now. We only have this opportunity one more time. If we lose this opportunity, shame on all nine of us and the Administration. We have to attack the quality of life because it is rapidly deteriorating before us.

The Chair:

If I can echo my two cents worth, I agree and everybody could probably stand here for hours and tell the same stories. I do agree and, I believe it was Mr. Udin who said, how do we get to the bottom of the problem. I think our inspectors are saying, I can't go on the properties, I can't do this and I can't do that, whether it be pick up garbage. I had a call with two refrigerators in somebody's yard. The neighbor, for whatever reason, did not do anything and we can't do anything about it. We can cite him, wait 30 days and on and on. The person living next door, this crosses every community in the city, from the highest income to the middle to the lower. I think it effects everybody, people who don't take care of their neighborhood, even if they don't cut the grass. In some cases, there's somebody who may even have died or gone into the hospital and there's nobody to take care of it. Why do we have to wait for a year before the city takes over their property?

I think we're living under an excuse of who's going to do it. We keep

hearing the problem, I cited them, we're not allowed to go on the property, etc., etc., etc. I think just like you said, we have to get to the bottom line, fix it, and take a picture of it. Here's the problem, this is why we went on your property. We're just hiding behind it. I got about six calls on your bill and only one was from a city resident. All the rest of them were from Fox Chapel, Mt. Lebanon and Upper St. Clair tenants. Some didn't understand it at all or made some excuses. Again, some said I need the ammunition to take out a bad tenant if that's it, I mean remove them, not take them out. I better be careful in my choice of words.

You're talking about landlord responsibility and I don't know what the percentage is, but how about neighborhood responsibility. Do we need a bill of rights for people who live in the city? I should have a right not to live next to a person who wants to work on their car until 3:00 in the morning.

Someone in my neighborhood was fixing cars, actually doing business in their neighborhood, this isn't right. Again, nobody would have said anything if they quit at 5:00 but, no, they do it all night. So, there's a whole list of things. But, I think we can go on and on about all the problems. Somehow we have to get to the bottom of this, the inspector and the C.O.P. police officer. Again, the C.O.P. police officer has to be a better police officer, has to be aggressive, and has to want to know how to do it. A lot can get done if we just put those 88 with an inspector on it. If you can clean up New York City, Pittsburgh should be easy. We're just dragging our feet. I don't think Council is, but the Administration or some of the directors aren't being responsible. Maybe we have to give them a tougher gun

or a tougher pencil to write more fines and get them done sooner. What keeps Pittsburgh here is our neighborhoods. I think everyone of us agrees with that.

Mr. Hertzberg:

Thank you, Mr. President.

I thank Councilman Ricciardi for the Legislation and for his agreement to hold off for a little while because I think that there are much larger issues here. In talking with some of the landlords in my district and they're good landlords, I think this is more aimed at the bad ones than the good ones, but let's consider what the good ones have to go through and the need for a more comprehensive approach.

Evicting a tenant is no easy thing. It's not even easy when you have proof that the tenant is not paying the rent. There are a whole number of different protections in the law for tenants. It becomes even more difficult when you're trying to evict the tenant for making noise and those kinds of things. It's going to require a comprehensive effort particularly by our city police, our Public Safety people. They need to be working with the good landlords, the ones that want to help, that want to get rid of the bad tenants. They need to help document the different incidents of loud noise and complaints of what they saw. If all that's documented and the landlord then goes to the District Justice for an eviction, they have a much better chance of doing what they want to do. They want to do it too, the good landlords. But, we need to work with them.

So, I think we should recommit this and take some time to work with the

landlords. I'm sure they want to work with us, too. They want to work with Mr. Ricciardi. That's what they're telling him. I think that's the right approach to take to this rather than let's slam the thing through, put the telephone numbers, make them give us telephone numbers. It's not that easy. So, I agree with Councilman Ricciardi and I thank you for this approach.

Mr. Cohen:

Thank you, Mr. President.

I think a lot of good issues have been brought up here as in the last couple of meetings as well. I think we need to think about them in a discipline and organized way and come up with solutions for them including the C.O.P. program and the fact that we don't have C.O.P. officers in many of our neighborhoods anymore, the garbage issue that Councilman Ferlo raised and the problem property issues that Councilman Onorato has talked about.

I think that what Councilman Ricciardi is suggesting here makes a lot of sense because that's what he wants to do. From what I'm hearing of the sponsor, he wants to enlarge it to include other issues and to make sure that we have the proper enforcement mechanism. He said, I think, a month. That's not a long time to make sure that we do this right. At the same time, I think we need to realize that there are a lot of issues that relate to the quality of our neighborhoods and the bad apples are not always tenants and they're certainly not always landlords because there are good landlords around. There are certainly good landlords in my district that I can tell you. But, they're not always tenants either. There are many single family

dwelling owners that also contribute to the downgrading of the quality of our neighborhoods. I just think that we have to be a little bit careful not to make tenants the victim. Although often when there are problems, sometimes they are tenants but sometimes there are people who actually own that house and also are creating problems.

That aside, I think having a Landlord Responsibility Initiative like Councilman Ricciardi's and to make sure that it's done in a thoughtful and an organized way and that the police are able to enforce it, I think that makes a lot of sense. I don't mind waiting a couple of weeks to make sure we do it right.

Mr. Ferlo:

Mr. President, if the bill is recommitted I would ask if Councilman Ricciardi extend invitations to maybe some of the District Justices that work on the neighborhood level, they deal mostly with landlord tenant conflicts. I would ask that a number of the apartment owner groups, there were several, possibly be invited. I think there should be a review. I would ask that the Law Department be available to help us with the wording of the current Landlord Tenant Act, both its pluses and its minuses, or its inadequacies, from Mr. Ricciardi's point of view. A number of landlords called me and I'm sure other colleagues about the current law and the fact that they're helpless to do certain things even if there is wild noise and unruly behavior late at night. It's not clear under the current Landlord and Tenant Act whether or not a landlord could actually be successful in a local District Justice Office on that issue.

So, I think we need to know more about that law and what its current state is. Given the fact that Neighborhood Legal Services has been a strong advocate for tenants, whether you like that position or not, I would ask that they be considered to be part of the process. I think it would be better to just involve them now if we're looking at some legislative changes to the Landlord and Tenant Act. In order to do what I think Mr. Ricciardi would like to do, I think it would be better to just involve them early on in the discussion.

So, I'd like to make that as a friendly suggestion.

Mr. Ricciardi:

Yes, thank you colleagues.

Tomorrow, along with all of you, I look forward to presenting this challenge to the Administration and I ask that the minutes of this meeting be forwarded to the Administration. I don't want to lose track of one thing and that is that we really need Mayor Tom Murphy, in this case, to use his unlimited resources in terms of talent, employees, and funding to create a Landlord Responsibility Act here in the City of Pittsburgh. One that will be effective, one that will have enforcement and one that will be able to stand up in court in order to make our neighborhoods a much better place to live in peace and quiet as stated in the letter before me.

Tomorrow, to be perfectly frank with all of my colleagues, all I'm going to do is hold the bill for three months. That will give the Administration 90 days to come back and present us a Landlord Responsibility Initiative during our budget deliberations.

Thank you.

The Chair:

So, the motion is?

Mr. Ricciardi:

The motion is to recommit.

MR. FERLO seconded the motion.

Which motion prevailed. (Mr. Onorato voted no).

The Chair:

We have Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

I'd like to respectfully ask that Council request from the Director of Budget, the Finance and Revenue Department, since she's too busy looking at my mail to see what should go out or not go out, maybe we could give her something important to do. I'd like to ask that we get an update from the Director of Finance on the implementation of the players tax, the earned income tax. It's been retroactive after January, right now we should have actually been collecting significant amounts of money. Without knowing specific tax information, I'm not seeking that, but accumulatively I'd like to know what is being done about the collection of the tax from professional ball players.

As you know, we approved that. We also approved that some of that

money, a significant portion, will go into the parks trust funds. Others will eventually go for debt service and/or capital construction costs associated with Plan B. So, I'd like to get an update on that.

Thank you.

The Chair:

We'll send a memo requesting an update.

Ms. McDonald:

Different subject.

The Chair:

Different subject.

Ms. McDonald:

Thank you.

Two things, one, to ask Councilman Diven and other interested parties that we'll be convening a meeting among city officials to discuss beefing up security measures at our police zone stations.

I just want to add to that there was a comment made to me that there is a serious void in security at our detective's branch which happens to be located in East Liberty. To the media who's listening, thank you so much for still abiding by not reporting live from East Liberty when, indeed, you just happened to be at the detectives branch which happens to be in East Liberty. So, I do want to really applaud the media for that. It takes a lot of the ownist off of East Liberty.

There is a void in the security measures. I would ask that in addition to the zone stations that the detective's branch will be addressed. I was told that individuals who are at the desk are civilians and they are unarmed.

So, again, for many of our serious criminals or alleged criminals or whatever you want to call it, what is politically or legally correct, are pulled into the detective's branch. It is very much so open as much so as if not more so than some of our zone stations for problems.

The other thing is to make sure that everyone is clear. Councilman Ricciardi asked me does his wife have to register her bicycle if she wants to ride downtown, no Gene. I told him no. Let's be clear.

First of all, the legislation is not going to be discussed for at least a week or two or maybe even more. But, basically commuters on bike need to follow the rules of the state vehicle code that does provide regulations for people who operate pedal cycles, in other words bicycles or any human propelled vehicle, just abide by the rules. The differences are that we don't have anything in our city code to address people who ride bicycles, particularly as it impacts a lot of busy intersections and roads downtown.

A reporter asked me what prompted this. What prompted me is no different than anyone else who has an opinion on this, personal experience. I don't know how many times I almost clipped someone because they were riding like maniacs through downtown at the height of rush hour traffic or any traffic. I don't want to clip anybody, I don't want to

hurt anybody with my car and I don't want to hit another car and I don't want to hit a pedestrian. I want everyone to feel safe. So, that's what prompted it, personal experiences. It is not for our messenger services, it just providing some kind of stability, some type of structure to anyone who wants to ride around downtown particularly in bicycles that are operated as commercial vehicles. I don't care anyway about it. I feel that as far as regulations, it should go above and beyond just a regular commuter. They are operating a commercial vehicle and they should, therefore, follow stringently the guidelines.

I'm also giving time for Commander Dom Costa who provided me with a lot of input for this legislation. I have to thank him for that. The Traffic Control Division wants to be able to get a handle on it. Right now, they don't know who's riding downtown on these bicycles, not from a can of paint. If they're going to operate a commercial vehicle, let them operate as any other commercial vehicle. They should have identification, some type of registration or permit number. It may not necessarily involve a monetary amount as far as do I have to pay for this, I don't know. But, traffic control officers need some control as well for the bicycles. Parking enforcement officers, they're not allowed to tag commuters or what have you, just parking. But, if they see someone driving like a maniac, like some guy coming down Forth Avenue the wrong way, here I pull in, you know I'm running late, guys you know I'm running late, it's like 9:59 and I have one minute to make it upstairs to the Council. You know I'm not playing when I'm driving, I'm rounding that corner and I'm not being nice rounding that corner. Here comes a

bicycle the wrong way down Forth Avenue and, to boot, he wasn't even wearing a helmet. I came this close to clipping him. We have to get a handle on this. We have to get a handle on this. The parking enforcement officer saw it, what can she do? She doesn't know if it's a bicycle messenger service guy or just a regular commuter. She has no way to report it. But, there needs to be a means of reporting bad bicycle operations in town. I don't want to kill anyone, Jim.

So, this is what it's all about. There's no need for panic or anything. It is just to provide a little order to downtown traffic.

Thank you.

Mr. Ricciardi:

I have to chime in here.

I look forward to discussing Councilwoman McDonald's bill. Let me first state that the Triangle Messenger's Service who provides a much needed and important service, both in our business community and throughout the neighborhoods, is located in my councilmatic district. All their bicycle riders wear helmets.

So, I would ask Ms. McDonald if we could please forward them this bill and have comments from Triangle Messenger Service. The reason for that is we have to be very careful that we don't put an additional layer of bureaucratic red tape on a business. An example of this is that it's become a very successful business. Bill Jones, as a matter of fact, started by himself with one bicycle and now he's a very successful businessman, him and his

wife, Maryann Jones. As you know, they've gone to a tremendous amount of bikes. They employee dozens of men and women throughout the City of Pittsburgh. They just purchased another building because they've been growing to such an extent. These aren't the best jobs, but they're not bad jobs. Some of our messenger service riders here in the City of Pittsburgh make anywhere from \$16 to the high \$20 thousands of dollars depending upon how fast they are and how they can get around. But, minimum on their bicycles are \$16,000.00 according to some of the information that they provide because they pay taxes, has a nice tax base.

So, obviously, I'm looking forward to discussing this. But, maybe, Councilwoman McDonald if you have a chance maybe we could forward this legislation to Triangle Messenger Service and see what some of their responses are on this.

Thank you.

The Chair:

I believe the intention, Ms. McDonald, and if I was the owner of Triangle Messenger, I would want to know if one of my employees was recklessly driving, jumping in front of cars as some of them do because he has workers' comp. I'm sure if something happens then he's responsible. So, it can be a mutual benefit to the company to make sure they're doing their job correctly. I think that's for safety. So, everyone is concerned about safety. They are an asset and good business. So, we certainly welcome them here.

Anything else under Motions and Resolutions?

Hearing none, we're honored to have one of Pittsburgh's top anchorwoman, Jodine Costanzo came to visit us today. Jodine, welcome.

We have one hearing this afternoon at 2:00 on Hankle Way in the 19th Ward concerning vacating a portion of it.

With that, I'd like a motion to adjourn.

MR. COHEN moved to adjourned the meeting.

MS. RICCIARDI seconded the motion.

And on the motion made by Mr. Cohen, the meeting adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, September 14, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Good morning and welcome to City Council's Legislative Meeting. Will the Clerk please call the roll?

Would you please stand for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the

Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Ferlo:

Colleagues, the following two proclamations are being offered by all colleagues, unanimously, all of our colleagues here on Pittsburgh Council.

I'd like to bring the two groups up together even though we have two separate resolutions. We're very pleased that we have a number of officials here from the American Federation of Government Employees. Two locals that are here this morning and I'd like them to come up. As well, we have some honored guests from the Veterans of Foreign War that are here in the City of Pittsburgh today and this week as a result of 100 years celebration that they're commiserating.

So, we'd like both organizations and groups to come up. We're also very pleased that Dr. Cyril Wecht has taken time to be here this morning. He's here as a physician, as somebody who's a veteran himself. I'd like Dr. Wecht to also come forward. Obviously, I have a bias

because I hope in the future I'll be able to introduce him as our first Chief County Executive, but we'll wait until after November. We are very pleased that Dr. Wecht is here this morning.

Before I introduce everybody, I'd like to read the following Proclamation.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 2016 WHEREAS, Fiscal Year 2000 represents the fourth consecutive year in which the Federal budget has included no increase in funding for the Veterans Affairs (VA) health care system; and

WHEREAS, this irresponsible omission on the part of our Congressional lawmakers comes at a time when health care costs are rising at an increasingly dramatic and dangerous rate; and

WHEREAS, four of the top veterans advocacy groups, the Disabled American Veterans (DAV), the AMVETS, the Paralyzed Veterans of America and the Veterans of Foreign Wars, have concluded that in order to meet rising costs, make a strong commitment to ensuring quality care for our nation's war heroes, and to prevent health care facility closures and further cuts in care the current medical budget must be increased by at least 3 billion dollars; and

WHEREAS, there are three major VA hospitals in the greater Pittsburgh area alone, employing hundreds of workers and serving thousands of veterans annually; and

WHEREAS, on September 15th, with the help and support of Pittsburgh City Council, local members of veterans service organizations, the American Federation of Government Employees, veterans and their supporters will travel by bus to Washington, D.C. to deliver our concerns for the future of veterans' health care to members of congress as part of a national lobbying day;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh does hereby support the September 15th lobbying effort and sincerely hopes that it will be just a single part of a much larger effort to ensure that health care services for American veterans be made a top priority by our nation's lawmakers.

BE IT FURTHER RESOLVED, that the Council does hereby implore interested parties to show their support for our veterans by contacting their congressmen and senators and voicing their opinion on this important issue that touches the lives of us all.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much.

We have a number of guests here today. We have Greg Erosenko. He's been here before. Council can certainly remember it's been a couple of months

ago that we passed an initial resolution urging the Congress to proceed. There are major bills now being sponsored in the Congress and this National Lobbying Day will hopefully give the one big push that it needs to get it signed and put pressure on the President and his Administration to be supportive of this expenditure.

Karen Mims is here. She is the Chief Steward of the professional staff for the VA Hospital System; Craig Strauss who's representing the Disabled American Vets in the Pittsburgh Office and Bill Borman who's a veteran.

There's going to be a proclamation up next being sponsored by all of my colleagues from the VFW, their 100th year celebration. I will introduce them next. We are pleased that we have the State Commander here, Frank Lopess, is here in the City of Pittsburgh. I'm sure he might also want to say a few words about how important Veteran's Hospital care system is to so many people in need.

At this time, I want to maybe ask Greg and some of the union representatives to say something about the event tomorrow. I want to thank all of my colleagues for voting in support of the appropriation to send these three buses. We're not only talking about economic livelihood and sustainability of employees and families, but certainly our care goes mostly to the veterans and their families who are badly in need of health care services that can be uniquely provided by the Veterans Affairs System.

So, I'd like to introduce Greg Erosenko at this time.

Mr. Erosenko:

Thank you, Mr. Ferlo.

Again, on behalf of the American Federation Government Employees, I do thank City Council for your support. It's kind of like our D-day tomorrow. Our bill will be coming in front of the Senate on Thursday. The House has passed a \$1.7 billion dollar increase, which is not enough as we have talked about before. We need a \$3.1 billion dollar increase. If we do not get it, there will be some closures of the VAs, that's how serious this is. There will be some (inaudible) of the services that we offer to our veterans.

On behalf of the veterans we serve and on behalf of the American Federation of Government Employees, we truly thank you for your support. We appreciate you covering the cost of the buses, they're extremely expensive. Again, I think it says very good about the City of Pittsburgh that you support our nations veterans.

Again, we do thank you.

Mr. Ferlo:

I'd like to ask Karen or Craig or Bill if they want to say anything.

Mr. Strauss:

On behalf of the Disabled American Veterans, I'd like to thank the Pittsburgh City Council for their support. I echo the same comments that Greg Erosenko stated. Without support, we're not going to get this appropriation. We're going to do our best tomorrow at the rally.

Thank you.

Mr. Ferlo:

Mr. Borman, did you want to say a few words? I know you're a little bashful.

Mr. Borman:

I can only repeat what they said.

I think the fact is with so much (inaudible) that means when sick people retire, there's no replacement. Consequently, you have more veterans from the wars that we've had recently. We don't get anymore help. You spend long times at the VA. I was there yesterday and I spent five hours there. There was a lot of patients and there is not as much help as they need. That's why I think we have to go there tomorrow and try to make these people understand that conditions aren't as good as they think it is. I must say, I landed on D-day and I think we're entitled to it.

Thank you.

Mr. Ferlo:

Dr. Wecht, obviously, is no stranger to these Chambers. He's here also as importantly a physician. I'd like to ask Dr. Wecht to please come forward.

Dr. Wecht:

Mr. President and ladies and gentlemen and Members of Council and honored guests, it is a great pleasure.

I want to make a couple of observations, if I may, personally. The first two years of my specialty training were at the VA Hospital in Oakland then there were two years in the Air Force. When I returned, I was for two years at the

Leech Farm VA Hospital, as it was then called, where I was the head of the Department of Pathology. So, I have seen the VA in action. I've had some work with the Aspinwall group. Like these other two institutions, I was there for a significant amount of time.

In more modern times, two of my children are physicians. The one son who is a neurosurgeon, a good part of his eight year training was at the VA Hospital in Houston and, then, his two year fellowship at Yale at the VA Hospital in West Haven, just next to New Haven.

I think I have a pretty good idea and understanding of the kind of medical care that VA hospitals render. I say it is truly unbelievable to me how the United States Congress, democrats and republicans, the administration, this is not a parson political thing, fail to understand the importance of maintaining top level quality care through the VA hospitals. This impacts on millions of veterans who I think deserve this from a grateful nation for what they have offered and provided us. In many instances, their lives, the ones who aren't able to take advantage of the care. The others, such as an old neighbor from the Lower Hill District, who suffer from ailments that can be taken care of at the VA Hospital.

Then, think too, indirectly, these are parents and grandparents. The economic impact and the social impact on their children and their grandchildren is significant, too. The money for the care has to come from somewhere. At a time when the United States government is in good shape financially, it seems to me that in any top list of three, four, five, six, the top 10 priorities that people might think of, obviously, health comes in there.

Health for the veterans and the economic indirect spin-off that are related to that are important.

Keep something else in mind, too, these aren't services that are charitable, that are gratuitous, they provide the many things that are extremely necessary. One of the things that most people don't think of but it should be borne in mind, I'd like to respectfully suggest this to my friends here, is that VA hospitals traditionally and to this day have provided a major component of medical education in America for medical students, for interns and for residents. That is extremely important, as is the case here in Pittsburgh with our VA Hospital, now called the University Veterans Administration Hospital. It was certainly a reason that I went there.

So, I commend the City Council for this action. I think it's rather obvious if every City Council in America did what you folks are doing here in providing this kind of support and assisting these people and going to Washington, DC to have the man, woman power there to let these representatives and Senators know how they feel, then it's highly doubtful that there would not be a strong action taken by the United States Congress.

I hope that your busloads, folks, will be joined by many, many others from all parts of this country.

I think this is important. The people who work there, the government employees, are very dedicated and I believe they do a good job. At a time that healthcare is a major issue in America, it is truly a very sad state of affairs that a major provider of healthcare for a large

constituency of this nation is failing to fund. While \$3 billion dollars is a extremely high amount for us in Pittsburgh, Allegheny County, to think of it simply is not that much money in the overall federal copper and especially for something as important as this.

I thank you for this opportunity and I wish these people good luck. I hope that everybody in government throughout the United States will be mindful as what has been done here and will make a similar input to help them accomplish their objectives in the halls of Congress.

Thank you.

Mr. Ferlo:

I want to thank Dr. Wecht. I know I took him out of another meeting that he's on his way to. So, if he has to leave, we'll certainly miss him. We have, fortunately, a state commander who's here today. He's here for a proclamation of the VFW birthday. But, I'd like to ask him for his view also on this important, critical issue.

Mr. Lopess:

Mr. President and Councilmembers, speaking for the two million members of the Veterans of Foreign Wars, we're extremely proud to be here today and go over with you the fact that we're 100 years old.

We're 100 years old because when the Spanish American War Veterans came home, they were sent home without any concern whatsoever for their combat disability. This organization, as proud as we are, should have never had to be formed. But, we had to do it in order to

protect the men and women who, whether they were volunteered or however they were called upon to serve, did it for our country.

For the first 75 years, many gains have been made for the obligations that our government had to these men and women. However, as you've just heard here today, for the last 25 years we have spent all of our time just trying to maintain that protection for these men and women.

If you've ever been out to the hospitals and saw or had an opportunity to speak with these men and women who are there, they never ask why I'm here, they were there because they were called upon to serve and they did so.

Each one of these hospitals as we travel throughout the state had one common problem, lack of funding. Lack of funding caused them to lose employees, doctors, nurses, and facilities being half filled because they didn't have the proper care to provide for these veterans. We're so proud of Pittsburgh and the effort that you're putting into this effort that we're very pleased to be here.

I know that you'll hear it in the proclamation, but these three veteran organizations formed separately in 1899. They got together here in Pittsburgh at the old Webster Hotel, which I understand now is the Pitt Union building. They united in their efforts and changed their names to be a combined Veterans for Foreign War.

Pittsburgh is a major part of that history. If you go out to Oakland by the Soldiers and Sailors Hall, you'll see a bronze statue on the street depicting the

fact that on September 14, 1914, the Veterans of Foreign Wars was formed formally here in Pittsburgh.

We thank you for everything that you have done. We look forward to working with you in the future. As you have seen and you have heard here today, the need is going to be greater and greater. As our War World II veterans fall into that older category, the need is greater than ever. Yet, here today, we have to fight harder than ever just to keep standing still instead of gaining and providing the service they need.

So, we thank you for the support you have given and we look forward to meeting each and every one of you at any of our veteran's activities. Remember our congressional charter says, service to veterans.

Another major part of that is service to our communities. If you look at the records, you will see there's millions of dollars spent on service and funds provided to the needy in our communities where our veterans or foreign war posts are located.

We thank you for giving us the opportunity to be here today and look forward to seeing you all again in the future.

Mr. President, thank you for this opportunity.

Mr. Ferlo:

The Commander has stolen a little bit of his own thunder. For our next proclamation I want to ask our AFGE Comrades to stay up here and we'll

formally read the proclamation welcoming our commander and all the representatives of the VFW.

As I pointed out earlier, both of these proclamations are unanimously endorsed and sponsored and being offered here today by all of my colleagues here on Council. So, I think it's appropriate that we also move on the following proclamation.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 2017 WHEREAS, veterans of the Spanish-American War banded together in 1899 aiming to serve as an advocacy group for all soldiers, aiming to secure medical care and pensions; and

WHEREAS, in 1914, at a convention in Pittsburgh, three overseas veterans organizations combined forces and adopted the name Veterans of Foreign Wars of the United States; and

WHEREAS, the VFW has since become a national force in representing veterans and their families, caring and fighting for the needs of our country's heroes and heroines, preserving and strengthening comradeship among its members, assisting the widows and children of slain soldiers, and maintaining and extending the institutions of American freedom; and

WHEREAS, the VFW now boasts over 10,000 posts worldwide with over two million members, serving the needs and interests of America's 26 million veterans; and

WHEREAS, over 200 posts of Western Pennsylvania will celebrate the

centennial anniversary of the VFW on Saturday, September 18th, 1999 at the David L. Lawrence Convention Center; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby praise the great accomplishments and rich history of the Veterans of Foreign Wars in this, their one hundredth year of service; and

BE IT FURTHER RESOLVED, that the Council welcomes all of the participants of the VFW 100th Anniversary Celebration to Pittsburgh and thanks them for the honor of allowing our great City to host this momentous occasion; and

BE IT FURTHER RESOLVED, that the Council does hereby proclaim Saturday, September 18, 1999 to be "Veterans of Foreign Wars of the US Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much.

I don't know if the Commander wants to further embellish his comments. He need not to if he likes because he very eloquently spoke not only about the need for adequate funding for the VA system, but he certainly highlighted the important and historical contribution that the VFW has made not only here in the City of Pittsburgh but small towns and

municipalities throughout the commonwealth and throughout the United States.

I think every one of our council districts have some great VFW posts. I know I've been very supportive. We have great organizations, at least, in my council district. You name it, they're involved in all kinds of community service activities. As well, they do the kind of things that are important that a lot of us just forget about. Everything from decorating graves in Allegheny Cemetery to visiting veterans in the VA Home to providing emergency healthcare and assistance, helping people get there when they need a van, you name it, it seems like the VFW folks are just there everyday each and every way helping veterans and their families.

At this time, I do want to highlight Commander Winters here. We have other guests here, as I introduced our state commander. We also have Tony Filardi who's the Vice Chair of the 100th Anniversary Committee and Johnny Winters who's the Commander of District 29 here in Allegheny County. He's from the Morningside Community. If either one of those gentleman would like to say a few words.

Commander.

Mr. Winters:

Thank you, Jim.

On behalf of the many, many thousands of members of the VFW who reside in the City of Pittsburgh and Allegheny County which make up District 29, I'd like to take this opportunity to thank all you members of City Council for

supporting us on our 100th Anniversary and all other forms of support you give to us. As a token of my appreciation, I have a 100th Anniversary pin of our celebration that I'm going to present to all you Councilmembers.

Once again, thank you very much. We really appreciate all you've done for us.

Mr. Filardi:

As Co-chairman of the 100th Anniversary, I'd like to enlighten the Councilmembers as to what is going to happen on Saturday. At 1:00 p.m., we're going to have a memorial service on the 3rd floor of the north end of the Convention Center. Following that, approximately, 3:00 or 3:15, we're going to have a dinner served on the south end of the 3rd floor of the Convention Center. We have close to 900 people, like the Commander has said, that is attending. Following that, we're going to have a patriotic rally by a professional promoter, which is Leadshaw Productions. It's going to be a good time for everybody and a happy anniversary for the 100th Anniversary of the Veterans of Foreign Wars.

We're glad that City Council has supported the many endeavors, as many things that I've been involved in and especially the 100th Anniversary, the Veterans Day Parade, whatever. So, I'm sure my is on this with all the City Council members and they know me quite well. I just wanted you to know that.

Also, I want to give a plug for the Veteran's Day Parade, which will be November 11th here in downtown

Pittsburgh. Again, City Council and the County of Allegheny have always supported us on that.

Thank you.

Mr. Ferlo:

I'd like to ask all of our colleagues to get a group picture here. We'll just take a group picture together with our AFGE representatives, Bob and the State Commander.

The Chair:

Before we bring up our next recipient, I want to thank Jim Ferlo publicly for really getting behind the veteran's bus trip and the organization. He's really done a heck of a job representing Council.

Also, Jim or members of the veterans, when you go there and lobby, maybe you ought to look at some of the people who may be against the hospitals and put them on the bus and bring them up here to see the actual work you do. I've been honored and privileged to see what's been in almost every facility, the family members and friends and the outstanding work you do here. Maybe some of these people from other parts of the country don't realize what the veterans have here and how we respect and thank you for all you've done.

Again, I want to commend Councilman Ferlo for really organizing this bus trip and supporting you.

Will Jeff Weissbart please come up? We're honored to have Jeff Weissbart here. He's the TV News Director from

KDKA Channel 2. They're celebrating their 50th Anniversary. Time goes quick.

I have a proclamation and we're very honored to have you here.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2018 WHEREAS, KDKA-TV, then known as WDTV, was owned and operated by the DuMont Television Network when it sent out its first signal on November 27, 1948, and later went on the air with filmed features on January 11, 1949, providing regular programming to its viewers 24 hours a day by 1952; and,

WHEREAS, KDKA-TV has pioneered broadcasting in this region and established and set industry precedents in terms of local news and community service; and,

WHEREAS, as KDKA-TV has served the hometowns of Western Pennsylvania by setting high standards of balance, fairness and accuracy; and,

WHEREAS, the KDKA-TV has also made community service its hallmark including the station's fund drive for Pittsburgh Children's Hospital, the KD Turkey Fund and the mobilization of KD's ARMY to assist and share in relief efforts when tragedy has struck our area; and,

WHEREAS, KDKA-TV is watched, in a given week, by more than 2.6 million people in the tri-state area.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend KDKA-TV on 50 years of

excellence and commitment to the tri-state area; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish KDKA-TV continued success and does hereby declare August 17, 1999, "KDKA Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Actually, we have one of TV's best cameramen, Kenny is here. We go from Paul Alexander back to Bill Burns. In school we actually went home for lunch, remember those days? You walked home, your mother gave you lunch and Bill Burns was always on there. It was like part of our family. I remember when I first met Bill, I was in an elevator and maybe in my 20s. I was shocked. There he was in real life. He's done so much for our community especially two years ago when the tornadoes struck and the hurricanes. All the things you do for us, we really appreciate it. We're certainly honored to congratulate you on your 50 years of service.

Mr. Weissbart:

On behalf of the staff of KDKA TV, I would like to thank Council for the honor today. We feel it is a privilege to serve our community. We look forward to it in the coming years.

We are very proud of the fact that in an industry where the norm is to work at a job for a year or two as cities all over the country, our staff is made up of over 90 percent of folks that have been born and raised in Pittsburgh and/or have lived here over 10 years. We usually figure if you've been here 10 years, we'll accept you in the Pittsburgh community.

We know what a special place it is to live and work here and we feel it is a privilege to serve our community. We look forward with the new stadiums and the convention center, and new development downtown to continuing to serve the area and to be a part of showing the future of Pittsburgh in the new century to come.

Once again, thank you very much for this honor.

Mr. Hertzberg:

I recall discussions at the Council table concerning the Pet Parade Program. It used to air on our city channel. I know Mr. Ferlo misses that program quite a bit so I wanted to try to bring something back that has a little theme related to pets.

This is regarding something called Paws Jam. Christine Luffey is here with me. She is really the founder of Paws Jam. It's a little get together that we've been having, the Temperanceville Tavern in the West End, to stress the importance of the spay and neutering program that the city has.

MR. HERTZBERG PRESENT:

No. 2019 WHEREAS, on Thursday, September 16, 1999, PAWS

JAM '99, is being held at the Temperanceville Tavern in the West End Neighborhood of the City Pittsburgh; and

WHEREAS, Paws Jam was created by City of Pittsburgh Police Officer Christine Luffy and sponsored by the Pittsburgh Police Department, WDSY Radio and the Temperanceville Tavern to help make residents and pet owners in particular, aware of the importance of spaying and neutering pets, the City of Pittsburgh's spaying and neutering voucher program and other resources available to help alleviate the financial burden incurred in spaying or neutering pets; and

WHEREAS, all proceeds from Paws Jam '99 will go to Animal Friends, The Animal Rescue League, The Humane Society, and Animal Advocates and these organizations have promised to use all monies received towards spaying and neutering programs in the City of Pittsburgh area; and

WHEREAS, for a donation of \$5.00 you will receive admission to Paws Jam '99, buffet dinner, 1 hour of free drinks and musical entertainment by Finesse, which plays music that will appeal to everyone; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Officer Luffy and the sponsors of Paws Jam '99 for making the residents of Pittsburgh aware of this important issue; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh Declares Thursday, September 16, 1999, PAWS JAM '99 Day in the City of Pittsburgh

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

I know you have some other guests in the audience, do they want to come forward. Maybe Prince can come forward. We're being joined by Diana Luffey who's Christine's mother and Mary Robertson, Mary Ann Miller and Betsy Skovran who are community leaders that are supporting the Paws Jam on Thursday. I know that Christine wants to speak and maybe Prince will have a few words as well.

Christine, congratulations and we're looking forward to Paws Jam '99.

Ms. Luffey:

Paws Jam is very special to me. I would like to share the reasons why I did it to the members of City Council as well as anyone else who is willing to listen.

I've been a resident of the City of Pittsburgh all of my life and I always wanted to do something for the city I love as well as the betterment of animals. I've always had a passion for animals. Each year in our city alone, there are over 20,000 dogs and cats that are euthanized in our shelters. This is really, really something said.

I would also like to introduce you to Prince. Prince is going to tell a story. He's a little bit excited. He's a very nice dog. Prince is two years old. Prince was

to be euthanized at Animal Rescue League last week. Obviously, I got him out of the shelter. He listens to commands very well. He's been neutered. He was someone's pet that probably loved him very much. People get rid of animals for various reasons every day. To me, it's just an excuse. I feel animals should be a lifetime commitment as they are members of the family. Prince needs a home as well as the other 20,000 animals here in the City of Pittsburgh.

I was just over at one of the shelters yesterday and they're full. There's no homes. It's sad to say that there are more coming through the back door than are going out the front. They, as well as humans, want to be loved. They have feelings and I have feelings for them. He's really a good dog and so are the majority of most of them over there. They just don't have anyone to take them.

I wish, I really do, that before people, residents of the city or anywhere, before they go out and they have to have a pedigree or a bred, I wish that they would look in the shelters. I'm sure there would be one, one that they would fall in love with that would just steal their heart. Prince as well as the other ones stole mine many, many years ago.

It's important for people to realize that to resolve this problem, they have to be responsible. They have to take advantage of the resources that we have available and they need to spay or neuter their pets, otherwise they breed. They breed and they make more, they make more pets. That's why we're having this problem.

I understand that my hardwork and the hardwork of the people who support me, City Council, I thank you; all the shelters, everybody who cares, but it may not be enough. We're going to probably have to explore other resources to make this effective. Maybe something on the fact of educating more people to the problem. I feel that if people would know what is going on and really encompass it and let it impact them, just to realize, then this problem would be resolved.

Thank you, City Council for everything and for having me here today. Thank you my friends, my family and that you Councilman Hertzberg. Please join us for Paws Jam 1999.

Mr. Hertzberg:

That's Thursday night 6:00 until 9:00 at the Temperanceville Tavern; it's on South Main Street in the West End which is the main drag in the West End. If you know where the West End Circle is, it's right near there. It goes from 6:00 until 9:00 Thursday. The block where Temperanceville is on will be blocked off. People that want to bring their pets, they're welcomed to bring their pets. I'm bringing my little biter, he'll be there. I warn everybody that's out there to stay away from this dog, he hates other dogs and he doesn't like people that much either. It's the little ones that bit you. We look forward to the Paws Jam.

The Chair:

Can I ask one question. I saw on the news, you're getting a lot of good coverage. I think we want to thank the media for drawing attention to this. Is

there an abundance now than five years ago of dogs in shelters? If there is, why?

Ms. Luffey:

It seems to be that we were hoping that the numbers would be reduced, but it's not that way. I just heard on WPXI, Channel 11, I was on the telephone and I couldn't hear the extent of the broadcast, but the shelters are full, they're full. They're full because people are not spaying and neutering their animals. I'm hoping things get better, I really do. This is an attempt to make things better. To make people aware to do the right thing. It's truly sad what is going on here today. I'm begging for a resolution.

The Chair:

Thanks a lot and keep up the good work.

Will the group from the Pittsburgh Financial Planning Association please come up.

I want my Councilmembers to pay very close attention to this next proclamation because I think, at least I need a lot of it and I'm sure some of you may need it. This is going to be Pittsburgh's first free public forum on financial planning. We're very excited to have Jack Driscoll, President Emeritus; Carol Lampey and Carrie Coghill here this morning. We have a big event this Saturday and I'll let them speak about it after I read the proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2020 WHEREAS, the Pittsburgh Financial Planning Association

was founded in 1969 and is the oldest and largest non-profit organization of its type in the world; and,

WHEREAS, the Pittsburgh Financial Planning Association has more than 14,000 members in all 50 states and 23 countries and 400 members in the Greater Pittsburgh, western Pennsylvania area; and,

WHEREAS, the Pittsburgh Financial Planning Association is the only industry-wide organization that provides an exchange of knowledge and experience among professionals in all areas of the financial services industry; and,

WHEREAS, the Pittsburgh Financial Planning Association and 20 of Western Pennsylvania's top financial planning companies will sponsor the Pittsburgh area's first free public forum on financial planning entitled "Planning Pays Off: Making the Most of Your Money"; and,

WHEREAS, the Pittsburgh Financial Planning Association will feature the latest financial planning strategies, tools and information designed to help local residents make the most of their money and meet personal financial goals.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby encourage its citizens to attend the Pittsburgh Financial Planning Association's workshops; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby thank the Pittsburgh Financial Planners Association continued success

and does hereby declare the week of September 18-25, 1999, "Financial Planning Week" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Jack, do you want to come up?

Mr. Driscoll:

Thank you very much. On behalf of the Pittsburgh Financial Planning Association, we very much thank the City Council of Pittsburgh and Council President, Bob O'Connor for recognizing the importance of financial planning and the difference it could make in people's lives.

Right now, I'd like to introduce Carol Lampey, a board member and also Carrie Coghill, our past president. Either one of you can discuss the events and give a little bit of detail.

Ms. Lampey:

I just wanted to give you a few ideas of what to expect. Our goal for this day is to promote the financial planning process by providing a purely educational day for the public, for the consumer. This event on Saturday, September 18th, from 8:00 a.m. until 4:00 p.m., is entirely free and purely educational. We have five educational tracks during the day. We'll be covering investments and investment planning, educational planning, retirement planning, state planning and long term care

planning. We have two keynote speakers, Jane Bryant-Quinn and Jonathan Pond.

Thank you again.

Ms. Coghill:

I just wanted to thank you very much for supporting our event. As Jack mentioned, we want to and we're trying to have an impact on individual lives. But, as community leaders and as professional leaders in this region, it's very important to understand and realize the impact that this kind of event will have on the future. If we're to continue to see this region thrive and promote it, we need to understand that individuals will become responsible for their own financial futures. If they don't, then that will have impact economically on this region.

So, thank you very much. We hope to have your support in the future.

The Chair:

We have one to be read into the record.

MR. UDIN PRESENTS:

No. 2021 WHEREAS, on Friday, September 17, 1999 the Alumni Association of Harty Bible School, located at 2601 Centre Avenue, Pittsburgh, Pennsylvania, will host its 47th Annual Fall Dinner; and

WHEREAS, Harty Bible School, which was founded in 1945 by Reverend John W. Harty under the unction of the Holy Spirit to teach the Word of God to all, according to the direction given by Jesus Christ in Matthew 28:20; and

WHEREAS, we recognize the life long commitment, high moral standards and the pursuit of Biblical truths and educational excellency of this first graduating class; and

WHEREAS, we praise God for your five decades of untiring and endless self sacrifice in service to the Almighty and Harty Bible School; and

WHEREAS, we pray that God will continue to bless you, strengthen you, give you peace, grant you the desires of your heart and renew the anointing within you.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Harty Bible School Class of nineteen and forty-nine on this their year of Jubilee Celebration.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will now take public comments. Anyone here that wishes to address Council, you have three minutes. Please give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge.

Last week, I made an incorrect statement and I would like to correct myself. Chief Fadzen agreed to meet with the parents on May 10, 1999.

I came here to Council not knowing anything about the political system. But, I can tell you that you taught me and you taught me well. So, I have three petitions that I am going to read at this time.

The first one is to Tom Murphy. This is a petition for reallocation of \$10 million dollars. Please sign below if you don't agree with what Mayor Tom Murphy plans to do with the extra \$10 million dollars found in the city budget. We had many citizens that were displaced during the Hope VI Project construction and are now living in sub-standard housing. We feel it would be prudent to renovate existing buildings that are currently vacant for these citizens instead of using the money to repair or replace sidewalks and steps. Such repairs should be part of the normal budget. Mayor Murphy, where is our supermarket up in the Hill District. You done promised us that, and promised when you politicked, you said it and we still haven't gotten it. Use some of that \$10 million for that.

Also, I have a petition violation for poor children civil rights. This petition says, we the undersigned feel that the Pittsburgh City Council violated the rights of the poor children by reversing the decision voted and passed permitting readmission of poor children to public swimming pools. We need an open hearing for the City Council to explain this and other countless self-serving actions it took a part itself.

That last one is this, we the undersigned parents of the children who enrolled in the Pittsburgh Public School system and members of the community are requesting a rescheduling of an open hearing regarding Chief Robert L. Fadzen, the head of security for the Pittsburgh Public School System. We intend to attend the public hearing.

When I was young, I was with my father and mother up until I was about six then I was placed in another home and there was abuse there. But, my father had taught me this, that many times you're going to run into people who will mistreat you and who will misuse you. Some may treat you good, but that's on them. But, it's up to you, Yvonne, if you lay dead or if you fight for what you think is right.

Thank you.

The Chair:

Thank you.

The next speaker.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart. I reside in East Liberty and my Councilperson is Mrs. Valerie McDonald.

This morning I received and saw that each one of you received one of these here letters and folders from the URA. I saw Mrs. McDonald and I believe Mrs. McDonald this came from your office. It did not? But, anyhow it would be nice Mrs. McDonald if you would come by the house and also see the house and also see my papers.

I'm no joke out there. It's no fun for me to be paying for something that I do not have. You are my Councilperson. You're the one who's supposed to be the third party in this deceit, if there's any wrong in the district that it be corrected. My house is right there and the evidence is right there and my papers are right there. Somebody is getting in my house and there are many things that are missing. I'm no joke and it's no fun staying in a house like that and I'm paying for something that I do not have. Each month I'm paying for it and for nine years I've been paying for it. It's no joke. It's no joke being cold in the winter and carrying kerosene.

So, I'm not coming down here because I like to come down here. It's a problem, there's a serious problem here in this city, in Pittsburgh. I believe that if I had been one of your white contingents, this would not have happened this long. Somebody would have straightened out this problem because I believe it's a racial problem; it's not just a black woman problem. But, this city is sick with racial discrimination. The URA came after me when I said I wanted a black contractor, I want to see some blacks working in our area. It was a disturbance every since. They sabotaged my home. It's no accident that it happened like that. They planned it for years. They have a bunch of lies here in this paper.

My only reasons for not having an attorney is because of the amount of money that I'm paying each month to PNC and I don't have money for an attorney. So, I hope and pray that someone out there or someone would come forward so that I can sue this City of Pittsburgh. No one should have to live like this. I have been put in this position. The URA promised to

fix my house. Now, they come up with a whole lot of lies and a whole lot of scheme. They have all kinds of attorneys to work on things against the small and the little people. I'm suffering and I'm tired of suffering out here and nobody is hearing me.

It's not right for the URA to be getting away with this. This is no joke. My house, the evidence is right there. I'm tired of paying for something that I do not have. No one should be in this position.

Ms. McDonald:

Yes.

Mr. President, I have received information -- I had asked in response to Ms. Urquhart's complaints about what's been going on with her property and I have addressed this with the URA well over a year ago. This year they had sent to me a chronology of events.

I had been asked by many colleagues on this Council Body, Val, when are you going to address this problem publicly. I said, I didn't feel there was need. I'm still trying to resolve the issue, but I just don't know if there's going to be any resolution.

So, in response to the weekly testimony, I feel it's important that on public record the URA has their chronology of events, as part of the public record, that they be recorded as such. I would ask for the indulgence of Council.

You received, and Ms. Urquhart has the same, there's about five pages. So, I'm just going to go through for the public

record. These are the chronology of events, so I can get this over with.

The closing date was June 26, 1991. The homeowner removed the contractor in September of '91, which was Terry Fix-It. Ms. Urquhart admitted that she made a loan to Terry of \$4,000.00 and was never paid.

The URA approved the work at the insistence of Ms. Urquhart. Ms. Urquhart then blamed the URA for the inferior work. Again, this not my words, Ms. Urquhart. I'm reading the URA's response to me. I'm trying to resolve this.

Ms. Urquhart:

Well, I'm against you reading that to the public because for one thing it's a bunch of lies. It's lies. Come and get the facts and the papers. The URA is the one in the fault for spending my money and paying my money out.

The Chair:

You asked for a response for maybe six months and Ms. McDonald is giving you one.

Ms. McDonald:

I'm trying to give a response.

On March 31, 1992, Ms. Urquhart filed a discrimination complaint to HUD against the URA because we questioned the selection of her subsequent contractor due to the lack of insurance and a line of credit. In order to bring this to a resolution and complete the work, the URA offered to pay Hannibal Restoration's subcontractors and suppliers directly because they would not offer credit to the

company. The URA also agreed to provide an additional \$14,239.00 to Ms. Urquhart's loan so she could hire another contractor after many meetings between our construction staff, Steve Leeper, and Ms. Urquhart.

On May 18, 1992 Ms. Urquhart hired Hannibal Restoration Company, Keith Steward, to complete the work. On June 9, 1992, the URA sent a letter to both Ms. Urquhart and Hannibal Restoration after a meeting with Mulu Birru and the construction staff to her home because the work was not proceeding at an acceptable pace and was not completed by August 17, 1992, the due date.

The URA advised that we would stop all advances of funds until the work is satisfactorily completed by June 23, 1993. On June 9, 1993, the URA sent a separate letter to Ms. Urquhart indicating the same and indicating that the URA intended to assist her in the completion of her home if Hannibal would not complete the job. The URA offered to prepare a final set of specifications and cost estimates to complete her home and allow her to seek other contractors. Ms. Urquhart refused to allow the URA to inspect her home to prepare the specifications.

On October 20, 1993, Ms. Urquhart filed a complaint with HUD indicating the URA is preventing her from completing the rehabilitation of her home. On November 3, 1993, the URA sent a letter to HUD in response to this complaint. On November 10, 1993, HUD sent a response to Ms. Urquhart recommending that she should cooperate with the URA.

On January 25, 1994, HUD wrote Ms. Urquhart a letter regarding a meeting

between HUD and Ms. Urquhart. HUD indicated that Ms. Urquhart would cooperate with the URA and allow the URA into her property to prepare a work scope. HUD requested that Ms. Urquhart accept the URA's offer to prepare these specifications and also requested that she respond to them within 10 days.

On February 1, 1994, the URA sent a letter to Ms. Urquhart indicating that we received a copy of the letter from HUD and advised that we were willing to assist her with the work. On February 10, 1994, HUD sent a letter to Ms. Urquhart indicating that they did not hear from her and her lack of cooperation prevented the URA and HUD from helping her.

On October 17, 1994, the URA received a cost estimate from Mr. Lawrence Hodge who was representing Ms. Urquhart. This cost estimate was prepared by Mr. Ed O'Kane and included many items which were not part of Ms. Urquhart's original scope of work in addition to the price being excessively high. The URA agreed to meet with the parties.

On November 16, 1994, they received a revised work write up from Mr. O'Kane with a cost of \$70,700.00. On December 7, 1994, the URA sent a letter to Mr. Hodge indicating that the items in the work scope and price were unacceptable. The URA recommended that we, means the URA, would prepare a work write up for Ms. Urquhart to solicit bids from other contractors.

On February 8, 1995, the URA responded to a complaint from Ms. Urquhart to the Attorney General's Office.

The URA stated that we still had no response to the December 7, 1994 letter

On July 24, 1995, they received a letter from John Gibson, Esquire requesting a written explanation of Ms. Urquhart's problem.

On August 4, 1995, Sharon O'Neill sent a letter to John Gibson proposing to settle this issue by accepting the proposal from O'Kane Construction, but the URA would solicit bids from other contractors and contract directly with the firm chosen to do the work. The URA would pay the additional cost of the work above the amount remaining in Ms. Urquhart's contract, \$10,519.00.

On November 20, 1995, Sharon O'Neill sent another letter to Mr. Gibson indicating that the offer of August 4, 1995 still stood.

On July 31, 1997, there was a meeting with the URA, Ms. Urquhart and HUD to discuss her situation. In the summer of 1997, there were meetings with Ms. Urquhart, URA staff, HUD and Irene McLaughlin, Housing Court Magistrate, to resolve this situation. Subsequent meetings were at the site.

On September 4, 1997, there was a meeting at URA for Ms. Urquhart to review the URA file. Copies of any relevant correspondence were provided to Ms. Urquhart when requested.

On September 3, 1997, HUD sent a letter to Ms. Urquhart indicating that progress was made with the many meetings being held. On September 23, 1997, Ms. Urquhart was given a revised work write-up after a meeting at her house

to discuss with HUD and the URA inspector.

On October 24, 1997, final version was given to Ms. Urquhart after many meetings and changes requested by Ms. Urquhart, which included items not included in the original scope of work. Ms. Urquhart approved the write-up. On October 31, 1997, Sam Billante was the only contractor who responded to the proposal and received the proposal from the URA. Mr. Billante spoke with Ms. Urquhart two times and she refused to set up an appointment.

In December 1997, the URA spoke with Ms. Urquhart to request that she let Mr. Billante into her property. On December 29, 1997, the URA received a letter from Ms. Urquhart indicating that she wanted a forgiveness of her loan, removal of a lien filed on her property and \$40,000.00 toward the purchase of a new house. She also indicated that she wanted the URA to purchase her house.

On January 22, 1998, the URA wrote a letter to Ms. Urquhart acknowledging receipt of her letter and agreeing to another meeting to discuss alternative options.

On February 4, 1998, Ms. Urquhart let Mr. Billante into her home and he phoned with the costs of construction, \$87,000.00. The cost should be \$60,000.00 to \$70,000.00, but we, the URA, will need to review this with Mr. Billante if Ms. Urquhart accepts. February 25, 1998, a meeting was to be set up to meet with Ms. Urquhart to discuss alternative options. Ms. Urquhart canceled the meeting. On February 27, 1998, another meeting was set up to

discuss alternative options. Ms. Urquhart canceled the meeting.

On March 6, 1998, Ms. Urquhart met with the URA. Ms. Urquhart now wants to move out of her house and give the house to the URA. She also wants \$70,000.00 toward the purchase of a new home. She and her attorney gave no reasoning as to why she changed her request from the December 29th letter by requesting an additional \$30,000.00 of funding. She also requested that the URA forgive the outstanding balance of her loan and the removal of a \$5,900.00 lien filed against her house due to non-payment of an invoice. The URA advised that the URA would consider the following.

The URA will work with Ms. Urquhart to sell her house for enough to pay off the outstanding first mortgage and \$5,900.00 lien on her home. The URA will release Ms. Urquhart from the deferred second mortgage loan recorded against the property in the amount of \$40,084.00. The URA will offer Ms. Urquhart to deferred second mortgage loan for the purchase of a new home in an amount up to \$40,000.00 or half of the purchase price of the home, whichever is less. The loan will be recorded against the new property and no payments will be due until Ms. Urquhart sells or moves out of the house.

This offer was proposed, but the URA held out on the original offer to complete the rehabilitation of her home.

On April 9, 1998, the URA received a letter from Keith Houser, a new attorney, indicating that Ms. Urquhart would like the original offer to complete the rehabilitation of her home. Mr. Houser also requested that the URA pay for

alternative housing while the home was being completed. On April 16, 1998, the URA sent a letter indicating that the URA would not pay for Ms. Urquhart's alternative housing. On April 27, 1998, Mr. Houser sent another letter requesting that the URA pay for alternative housing.

On May 28, 1998, the URA received a letter from James McMeeking indicating that he was unwilling to work at Ms. Urquhart's home.

On June 3, 1998, the URA received a letter from Samuel Billante indicating that he was unwilling to work for Ms. Urquhart. On June 10, 1998, the URA received a letter from Mr. Houser requesting that the URA contact him regarding Ms. Urquhart's case. On June 30, 1998, Mr. Houser was phoned to discuss the situation.

On July 2, 1998, Mr. Houser was phoned to discuss the situation. No response from the June 30th phone call. Advised that the URA will consider providing Mrs. Urquhart \$30,000.00 and will no longer be involved in rehabilitating her home. In addition, the URA will release her construction escrow in the amount of \$10,519.00 and release her from the second mortgage lien. Requested a written response to this offer by July 17, 1998. On July 16, 1998, we received a letter from Ms. Urquhart acknowledging the letter of July 2, 1998 and requesting a meeting to discuss implementing the proposal.

On August 10, 1998, we received a call from Tom Sumpster from HUD advising that Ms. Urquhart lost the copy of the July 2nd letter. Ms. Urquhart was sent another letter. On August 26, 1998, we

received a fax from Sanford Kelson confirming that he now represented Mrs. Urquhart and requested that we forward the proposed settlement offer. On August 26, 1998, we sent proposed settlement offer to Mr. Kelson. We requested that he call by September 9, 1998, if Ms. Urquhart wished to pursue the matter.

On September 9, 1998, we received a phone call from Mr. Kelson requesting copies of notes and mortgage for Ms. Urquhart and it was faxed to him. On September 11, 1998, we received a phone call from Mr. Kelson that Ms. Urquhart has declined the proposed settlement.

There has been no further contact from Ms. Urquhart or attorneys as of September, 1999.

That's the chronology that I received from the URA just so there'd be some facts put in here.

Again, I would like to be able to have some resolution because I don't feel that anyone deserves to be so frustrated in what has happened. Again, this is something that I believe the URA is going to have to work with Ms. Urquhart as well as any attorneys to settle this case.

Thank you.

Ms. Urquhart:

Mr. President, she had this to read. Why did Mrs. McDonald not bring the letter that I wrote to her in regards to the many things that have happened to me and offering her to come into my home and see my papers and my home? Why would she read a bunch of lies even from number one

when they said that I loaned Terry \$4,000.00 when it was \$20?

The Chair:

Excuse me. You asked for a response and we've asked for a response. We're trying to bring this to a head so that you -- I'm sure you have better things to do than to come here.

The only thing I might suggest is that Ms. McDonald can set up a meeting with the URA and you guys sit in a room and try to resolve the issue.

Ms. Urquhart:

I need an attorney badly. When you're poor, you don't have the money.

The Chair:

There is free legal counsel that's available to anybody.

Thank you for the response.

We will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. HERTZBERG PRESENTED:

No. 2022 Resolution transferring the amount of \$6,000 from Sub Class 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999--(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Finance and Budget.

No. 2023 Resolution granting unto The University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, chilled water lines on a portion of the right-of-way of Ruskin Avenue in the 4th Ward, 8th Council District of the City of Pittsburgh.

No. 2024 Resolution granting unto the Bitz Foundation, 121 Ninth Street, 9th Floor, Pittsburgh, Pennsylvania 15229, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, electrical vaults and mounted lighting fixtures for 121 Ninth Street, between Fort Duquesne Blvd. and French Street in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 2025 Resolution vacating a portion of Almont Street from Spokane Avenue to Santron Avenue in the 29th Ward, 4th Council District of the City of Pittsburgh.

No. 2026 Resolution vacating 10th Unnamed Way between Oakland Avenue and S. Bouquet Street in the 4th Ward, 3rd Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 2027 Resolution providing for an Agreement or Agreements with the

Urban League of Pittsburgh for the implementation/administration of the Housing Counseling Program, and related costs, in an amount not to exceed \$100,000.00.

No. 2028 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of \$585,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Main Street Commercial Reinvestment Program.
---(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 2029 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Main Street Commercial Reinvestment Program.
---(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which were severally read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 2030 Resolution providing for the issuance of a \$4,119.98 warrant in favor of Laidlaw, c/o Jo Ann White, Concorde Adjusters, Inc., 669 Airport Freeway, Suite 400, Hurst, TX 76053, in settlement of a claim in which claimant's bus was damaged due to a City ES truck March 22, 1999.

No. 2031 Resolution providing for the issuance of a \$3,367.00 warrant in favor of Martin J. Yasko, 5051 Orinoco Street, Pittsburgh, PA 15207, in settlement of a claim in which claimant's sewer line was damaged due to City tree roots on February 1, 1999.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2032 Resolution authorizing and directing various departments to take the appropriate action to have certain security devices installed at police stations within the City of Pittsburgh. To cause the establishment of the Police Security Task Force to conduct a comprehensive review of security measures at police stations and other government facilities and to develop a comprehensive plan of action to insure the safety of police officers. To insure that effective countermeasures to domestic terrorism are identified and implemented. To seek funds in support of capital improvements to police stations. — (SPONSORED BY MR. O'CONNOR & MR. DIVEN)

Which was read and referred to the Committee on Public Safety Services.

No. 2033 Resolution providing for an allotment of vacation days to certain employees affected by Ordinance 13 of 1998. —(SPONSORED BY MR. O'CONNOR & MR. FERLO)

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of

the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ferlo:

Thank you, Mr. President.

I'll reiterate my concern as I have, at least, in several of the meetings about the city's financial situation. I'm totally amazed, pleased but yet amazed, that the Administration has now come up with \$10 million dollars for neighborhood reinvestment. Obviously, we need the resources and, hopefully, this Council truly will make some decisions about the prioritization of those dollars as we have oftentimes in the past.

I think the initial meeting with Neighborhoods 2000 had over 150 people here. We have another meeting next week. Maybe by the time the progress is over with, it will get up to \$20 or \$30 million dollars, I don't know.

I am concerned about, at least, the notion that the Administration and maybe, the Mayor himself has conveyed to the media. That is somehow we have this millions of dollars of a fund balance, \$40 to \$50 million dollars, and we don't have

financial problems. That's, at least, what was being conveyed. So, while I'm certainly concerned and pleased that we have a redirection of badly needed dollars for neighborhood reinvestment, I am concerned about the context from which those dollars are being generated. To convey any notion that we don't have a structural budget crisis this year alone of some \$20 million dollars, next year even at a significantly higher figure, I think is just wrongheaded and counterproductive.

So, I look forward to a time when we can actually begin to discuss this initiative or this response by the Mayor to redirect some resources back for neighborhood reinvestment. I would be very concerned and want to continue to reiterate to the public and to the taxpayers that this year alone, we have a real structural budget deficit of some \$20 million dollars. I wish that somehow that also got conveyed in the messaging, the politics of last week's pronouncement from the Administration about throwing caution to the wind and let's spend money. Great, we can all spend money because there's so many things we have to do. Obviously, we want to be supportive of any effort on the Administration to make an equivalent financial commitment to neighborhood redevelopment as much as the perception of major development in and around the downtown corridor or so-called, Plan B.

Secondly, which really brings me to the point that I keep raising, and Councilman Udin speaks eloquently about this from time to time at our meetings, is the frustration that certainly the budget office staff and council, I'm sure Mr. Udin himself has and all of us share, is what exactly is our financial situation on any

given day. Not just trust funds, but what is our revenue intake. We're going into a final year of budget process. It would be nice to know, not only what fund balances are in the 50 or 60 trust funds, but it's also important that we get a basic sense of what would have been our spending on any given day and what are our obligations going into the end of the year in preparation for next years discussion.

I don't know how one does that without basically knowing financially what we've spent or what we've encumbered or what we're obligated to pay through an encumbrance. Nobody runs their family household that way. I can't balance my checkbook that way otherwise I'd be bouncing checks everywhere. I don't think the city wants to bounce checks. So, it'd be nice, let alone responsible and something that I would think be a basic function intended of the municipal government, is to know what our financial situation is.

I'm beginning to hear horror stories in the Finance Department, notwithstanding our new finance budget director, about the multi-million dollar computer system for the tax system is not up and running. It was supposed to be up and running in August. I'm not sure it's going to be up and running in September, October, or November; I'm not sure when it's going to be up and running.

We've invested \$8 or \$9 million dollars in the PeopleSoft System and we don't even know on any given day what our expenditures are in various code accounts and various departmental spending. We've given the Administration and the Controller's Office one year of funding to hire staff and nothing's

happened. If something has happened, please somebody tell me. Maybe Mr. Udin can shed some light on this, I don't know. We have now to be a major problem. We're not only not aware because of the failings of the PeopleSoft System; now you hear rumors that they want to throw out the general ledger system that was developed for purchasing and procurement because it's not working, I guess. So, they're going to throw that whole system out that they spent three years developing.

So, we not only not know what we're spending because of the situation with the Finance Department now. I love the fact that the Mayor got away like a bandit last week. He comes with his checkbook like Santa Claus, here's \$10 million dollars. He totally avoids the issue of a structural deficit. He doesn't want to discuss taxes. He doesn't want to discuss real problems that we have to deal with in terms of balancing the budget. He totally diverts any attention to the chaos that this Administration has been involved in in Public Works and the Finance Department in computer spending, the list is endless. It's a great get over. It's like here's \$10 million and don't ask me about the chaos in city government in terms of public works or finance or revenue, don't question me. I know everybody says I'm too personal and I make it a personal thing.

I love the fact that staff people at the top levels come in here, make a big buck, and they take their money and run. They're all involved with the vending community. It seems like, I don't know what it is in city government, every new vendor in town has a new set of wares to sale, entices some director, we get locked into a multi-million dollar system that

never seems to get implemented, they check out of dodge and get a \$200,000.00 increase in their salary, including our past bookkeeper, Mr. Hennigan, and nobody raises a question. It's like life goes on, government goes on, who cares, people check out of dodge, they're living on the easy street with golden parachutes and they leave us holding the bag. It's amazing.

I don't know where this brain dead media is. They focus on Council spending money fixing a chair and here we have millions of dollars in computer system. I know there's a love vest with the Post Gazette and the Murphy Administration, which I respect. The Post Gazette owns the Pirates, they want Plan B. They make \$7 million dollars a year advertising the department stores. They want the Lazarus and they don't care about any questions about TIFs. So, we know the Post Gazette is a lost cause. We have a right wing owner of the Tribune Review and they're so out to lunch.

We have no analytical analysis by reporters so that leaves us as legislative and Councilmembers and elected officials to discern some truth from fiction or fiction from non-fiction, which brings me to my point and there is a point, Mr. President.

I would ask, Mr. President, if you intervened and Councilman Udin. We should take this position back; we should hire our own PeopleSoft staff so we can make heads or tails. Forget about the finance director, that's a lost cause. The controller, for whatever reasons, if he has a good explanation, I would please ask his honor to please communicate to this Council about why, since January, we have

not hired the appropriate staff to manage the PeopleSoft system.

I'm amazed that the Controller's Office agreed to accept the responsibility. It was the Administration that always had the responsibility. I feel like the Controller's Office is now left holding the bag. The Mayor is smart enough to throw it over to Tom Flaherty's lap. Now, poor Tom is stuck with being the guy we're all going to blame for not having PeopleSoft management up and running.

We can talk about giving away \$10 million and I'm all for it. We're going to take the money and we're going to direct it for good neighborhood quality and infrastructure projects that we badly need and have been talking about endlessly in Council. It's just amazing how other important issues have been sideswiped and how no one seems to be concerned about the management and efficiencies of some of our departments.

I can go on and on and talk about Public Works and talking about the finance and talk about revenue. I would just ask would somebody please intervene and take some control.

If we go into a budget proceeding and don't even have a basic sense of what our expenditures are and don't have a basic sense of what our revenue is, I don't know how we're going to know what we need to spend next year and what we need to forecast by way of revenue for next year. Thank God we have Scott Kunka, a quality individual who has years of experience and knows the reality of what's happening budgetarily. But, I'm worried about the Administration. I don't know when the hell they're going to hire a budget director or a finance director.

Somebody better wake up on the other side of the hall.

Before we spend the \$10 million, can we also ask them uncomfortable questions? Let's, at least, nudge them along a little bit, colleagues, please.

Thank you.

Mr. O'Connor:

I don't know what the total intentions were, but I had mentioned to the Mayor when we spoke about the \$10 million. Certainly he's listened to us and I believe he probably hears what we hear in the neighborhoods. But, I think it has to be a part, I haven't had a chance to meet with Mr. Udin, part of the ongoing budget.

Again, I wouldn't want to give out this money and, then, two days later knowing we have to raise the garbage tax or things like that. I believe it should be part of the budget process and we're very, very close. We're within 30 days and we'll be starting our budget hearings.

So, I would ask Mr. Udin, I don't know when it's coming over, the \$10 million, but that has to come to this Body and part of our legislation is we have to vote on it. But, how it's handled when it's coming out, I don't know.

Again, I think we all have to agree on, I think we're mainly agreeing on an agenda. I read most of your comments, whether it be talking to the taxpayers or whether it be street resurfacing or sidewalks. I think we need some guidelines, too, in which we have time to do.

Mr. Udin:

I want to --

The Chair:

Excuse me for one second.

We did jump out of order. There was another gentleman who wanted to speak to Council. I think when Ms. McDonald did her response, I inadvertently didn't see you or know you were here to speak.

Mr. Udin:

Can we wait until after this discussion is completed because I would hate to break up?

The Chair:

Let's have two responses. Can you wait? Do you have time? Thank you, sir.

Mr. Udin:

Thank you.

Mr. Ferlo brings up a very important issue. An issue, as you know, colleagues, that I have been trying to warn colleagues about all year.

The \$10 million dollar usage of the fund balance is a kind of a quick fix. But, it doesn't begin to substitute for the quality of last decisions that we have to make in this city. The needs are so great that it is difficult for any Councilmember to not accept the opportunity of spending a million dollars in their district. But, as the Councilman pointed out, that cannot hide the serious budgetary structural problems

that continue to exist and will continue to grow each year we fail to make the structural adjustments in how much we spend versus how much we take in. That requires this Council and the Administration and the residents of this City to make some important priority decisions about what is important in this city in terms of how we expend the city's tax dollars.

There are very, very difficult decisions that we have to approach when we approach this discussion. It can't be resolved with just \$10 million dollars. We have to make some decisions about increasing revenues and it can't just be done with a proposal of a garbage tax versus not a garbage tax, it's bigger than that. We have to really consider how we're going to increase revenue in this city. Nothing can be off the table.

The Mayor has insisted that he doesn't want to raise taxes, well nobody wants to raise taxes, but we have to increase the revenue in this City. Nothing should be off the table. If we are going to be asked to consider a garbage fee, then the Mayor cannot say on the other hand, I'm not willing to discuss earned income tax. Everything has to be on the table if we're going to be asked to raise the revenue to meet the needs of this City.

The solution to the structural deficit, the structural by now is at least \$25 million, it may be larger. It's going to require a multi-year solution. We're not going to be able to fix it in just one year's budget, but over the next three years or over the next five years, we may be able to come up with some solutions if we're willing to consider all possibilities and nothing is secret.

Even if we do not get proposals from the Administration, this Council will have to come up with its own proposals and perhaps should be doing that anyway and not just waiting for the Administration to initiate a proposal even though the charter of the city requires that the budget is initiated by the Mayor's initiative presenting Council with a budget. But, Council knows what the multi-year projections are for revenue for this City and what the expenditures are.

In addition to that, we are going to have to make some serious decisions about public safety. How much money we spend for public safety and how much we can afford to spend for public safety and how much is required for a city of this size to spend for public safety. Unless we're willing to somehow stem the tide of expenditures in public safety, we can forget about cutting back on expenditures. So, we have some hard decisions. We have to quit just talking about it and throwing pennies at it and get serious about correcting the structural deficit, increasing the revenue and decreasing the expenditures of the city.

The point that Councilman Ferlo made about the computer system and the PeopleSoft system is right on the money. It is serious; it is still as serious a problem as the day that I first started crying and screaming about it at the budget table. We have made some gains, I should say that. I should not say that we have not corrected some of the problems. Some of the problems have been corrected, a lot remain to be corrected. The Administration and the Controller and this Council has to engage in some very, very serious discussions about how these issues

regarding the city's computer and accounting system and controlling system and cash management system, how these things are going to be corrected for the future.

Thank you.

Mr. Cohen:

I want to thank the Finance Chair for that overview of our clear challenges that we have for next year. I wanted just to talk briefly about the \$10 million dollars.

I commend the Mayor for making that kind of commitment back to our neighborhoods and it's an important commitment. At the same time, the process, at least thus far, have not been a good process. I hope that we can get back on track.

I was not and I have spoken to many of my colleagues who were not communicated with prior to this proposal being made. That aside, we are getting calls from community groups in my districts and I'm glad they're calling because this is something they've been waiting for for a long time.

But, the details of what this one million dollar per district are have not been fleshed out in any way. We have not had any meetings with the Mayor himself or any members of the Administration on how this million dollars will be used. In the news reports, I think many of the things that have been in the news report are, in fact, wrong in terms of using this for operating purposes, what we would normally consider as part of our operating budget. This can't be used for operating

purposes as far as I understand, but who knows at this point.

There are a lot of questions out there that need to be answered to us and to the public as to how this is going to be used. So that we can also make informed judgments as to how to recommend that that million dollars per district be used in a way that will truly revitalize our neighborhood to the extent that a million dollars can.

So, I would ask either you, Mr. President or Finance Chair Udin to convene a meeting as soon as possible so that we can flesh out the details of how this money is to be used and make decisions on that. So that we can give correct responses to our community groups and work with our community groups and with individual citizens as to how this will be used. Can it be used for street paving? Can it be used for walls and streets? Can it be used for private property or just for public property? Can it be used for ornamental lighting? I have no idea at this point exactly what kind of projects are available under this proposal and I think we need to know immediately.

Mr. Onorato:

Mr. President, I would like to make some brief comments, too, on the \$10 million dollar plan and the way I view what's going on here.

First of all, as far as I'm concerned, the \$10 million dollar plan came over by itself and it stands on its own. It is not being tied, as far as I'm concerned, to any garbage tax or tax increase for income or real estate and there is no quick pro quo here, if you want it you must do this.

So, if that happens to change over the next couple of months, I'm not even going to take up the debate. As far as I'm concerned, we have a million dollars to spend in each of the council districts and the Mayor has an additional million to spend and that's the bottom line on that issue. There is no other debate that we had that we have to vote for something else. That's not the way it came over and that's not the way it was explained to me.

As for the million dollars and having these now community group discussions that I see a lot of community groups from my district going into the 5th floor and into the Mayor's Office, that's fine and I want to hear their input. I also have about 75 percent of the other population that live in my district that don't belong to the community group that are screaming too in my office.

As far as I'm concerned, the debate is over. I know how I'm spending my million and I want the calls to come in because they're all the same. I want to tear down these buildings that I've been waiting for for years. I want to clean up the lots that City Source is out to lunch on because somebody has a title dispute. I want to clean up the steps, and I want to rebuild the walls that have collapsed. It's all infrastructure. That's the way the money should be spent.

I'm glad that the Administration has finally heard the call of the Council that we've been screaming for two to three years through the capital budget and our amendments. We made it very clear where we want the capital money to be spent. This is no different than bond money, the way I look at it. We're putting

money into the capital budget. I have enough capital projects just to clean up the general maintenance of my district and I'm sure my colleagues have the same thing. This is what tax dollars are for.

We're giving the people back their money. They pay taxes for certain things. They pay taxes for public safety, they pay taxes to have their garbage picked up, they pay taxes to make sure they have a clean neighborhood and we have public works facilities that could help maintain our neighborhoods. We haven't done all of them well.

The maintenance of our neighborhoods is falling apart. The quality of life is dropping. This is a major step in the right direction. We have a long way to go because a million dollars will be used up probably just in one of my neighborhoods as opposed to the 14 that I represent. Trying to spread it around is going to be very difficult. You tear down one apartment complex building that's been vacant for 20 years, you might use \$200,000.00 to \$300,000.00 depending on how big the problem is. So, this sounds like a lot of money, it's not that big. I have a few apartment complexes that need to be torn down and I know what the bill is going to be on those.

We also have a lot of lots to be cleaned up. I know one wall that is publicly owned by the City of Pittsburgh that has collapsed. The response I get from the Director of Engineering and Construction was there's no money in the budget, Council should look and be more diligent when they review the capital budget. We'll we're the ones that put the money in there and there is money in the budget. But, I'm not going to have that

fight. We have a million dollars and we're going to fix that wall now. We're going to do things like that in my district.

I ask the residents and community groups in my district, if you call my office to please be very site specific on a capital improvement project that has to do with the infrastructure that the city's responsible for. That's what I'd like to hear from you because we now have some money to attack some of the problems. We will create a priority list.

Additionally, I'm not going to get into the PeopleSoft system. I don't even know what it does because it doesn't do anything except take money out of the city. Then, the other issue I want to talk about is the structural deficit, I agree with my colleagues, does exist. I'm going to treat that separately than this \$10 million dollars. This \$10 million dollars that I said is for deferred maintenance that we should be attacking now.

The issue of the structural deficit, I supported all this grow the Pittsburgh initiatives that we've been doing for the six years of the Administration, that's why we supported TIF's, that's why we supported development funds, that's why we supported a lot of the public's private partnerships and the city has to grow as far as I'm concerned.

I am not supporting tax increases, I am not supporting a garbage tax, I'm not supporting one revenue increase after we just partnered up using public money to grow the city. The idea, when we spent that money, was to take the burden off the backs of our taxpayers from bailing out the city. The wage tax is still too high, real estate might be average in this county.

But, we can't afford to raise any taxes or revenues one percentage point. It will continue to put us at a competitive disadvantage. If people haven't looked lately, there still is a flight out of this city. I don't care what other statistics you might read here or there, there is still a flight out of this city. We have to stabilize it. They way you do that is providing safe neighborhoods, clean neighborhoods and a healthy tax structure and we're heading in the right direction now. So, tax increase is off the table as far as I'm concerned.

Mr. Diven:

I just wanted to echo some of the comments regarding the \$10 million dollar project with the Mayor.

I would hope that our President could set up a briefing to get the details on this. Because I'd like to give the Administration the benefit of the doubt and hope that this million dollars per Council District wasn't inspired by Regis Filbin's who wants to be a millionaire game show recently on ABC.

My belief is we should look at this very cautiously. I think that there are some potential problems and there's a potential for this to turn out to be a smoking mirrors way of patching the holes up in the capital budget.

I'm under the impression that we're going to be going out and borrowing half as much for this year's capital budget as we did last year. So, the question that I need to have answered from the Administration, and maybe we can do this in a briefing, is are we going to be in a situation where this additional million dollars that's going to be divided out to

each council district is just going to offset the money that would have been in the capital budget had we gone out for the same amount of capital bond money that we did last year?

So, one of the concerns that strikes me is, I know like other Councilmembers, my office has received a number of calls from sincere community groups that are interested in taking advantage of this and building a top what they expect from the city government and the capital budget in doing special projects that for years have never been able to receive the kind of funding that they needed.

Now, are we going to be in a situation where we're going to have to deny those requests after we raise the expectations of community groups to a level that they actually believe that this is going to be in addition to what the city already spends in the neighborhoods. If it turns out we're in a situation where we're using this million dollars to do general maintenance and general improvements that the city has always been responsible, there's going to be a lot of angry, irate, community organizations and people that were led to believe that this million dollars per district was something more than it is. If it turns out that it's just a way to patch up the holes in the capital budget just to make ends meet and to the basic repairs and maintenance to the City of Pittsburgh, then I think this is going to be a big, big problem for us to overcome.

It's one thing to be able to go out there and talk about how cash throughout the City of Pittsburgh is and the inability for us to finance a lot of these projects. But, when you have a major public relations vehicle where you go out and tell

people we've got a million dollars and you decide how you want to spend it. Then, they find out later that it's going to be used to pave streets and offset money that we're not going out to borrow next year then we're going to be in trouble. Because we've raised the expectations of the community organizations to a level that they actually believe they're going to get additionally of what they received in prior years. We're going to be in a situation where Councilmembers are going to be forced to be the bad guys to go back and tell these organizations hey, this money has to be used to do the basic repairs to the city. I think that it's something that we need to be cautious on.

Hopefully, you can set a briefing up with the Administration and start to find the details out about this program and to start to find out where we can allocate this money. If not, the longer we let the perception out in the community that there's a million dollars out there to spend, the more expectations people are going to have and the more upset and disappointed and angry at council representatives these community organizations are going to be in the end unless we can find out for sure exactly which direction we go. That way we're not leading people to believe that we're providing something that we're not capable to do.

So, that's one thing that I would like to emphasize. Hopefully, we can have a briefing set up fairly quickly.

The Chair:

We will set a meeting up as soon as possible. Again, I was very disappointed, certainly excited to help our neighborhoods, but disappointed in the

way it was handled. You just can't go out to community groups without some guidelines. I don't even know why the community groups were even brought in this early. I think Council and the Mayor's Office have to set guidelines. I'm not blaming any of us, but it was --

Mr. Diven:

I know I wasn't briefed on the program and I'm sure a number of other Councilmembers were not included in the decision making or the setting up of this program. As a result, we could potentially be the people that are left on the hook when we have to go back and tell community organizations that we don't have the money to fund programs after the Mayor has made a big promotional effort to say we've got a million dollars and we can take care of all those projects that you always wanted to have done.

The Chair:

Mr. Ferlo has already had one community meeting citywide and it was very successful about some of the needs and how to generate the money. So, I believe that should play a continued role in maybe setting up this agenda.

Mr. Hertzberg:

Certainly the idea of \$10 million dollars for community projects is a good idea and to seek the input of the community groups and the residents on those projects is a good idea and one I agree with. There's way more projects than there is money even in this proposal. I did get a brief briefing from Mr. Sirabella before this announcement was made. The details still aren't clear to me. I think it's

going to end up being our decision on what those projects are.

What we'll end up with is a situation where we're going to make a lot of friends, but we're also going to make a lot of enemies because we're not going to be able to do everything that needs to be done that's out there. I can accept that and I welcome that. That's what we're elected to do and I'm happy to do that job and to make the tough decisions on what are the most important projects that need to be done.

One area, though, that's really not being addressed here, that's one of concerns at least in Council District 2, is police and public safety. I share Zone 4 with Councilman Diven. We regularly receive complaints and I think they're very valid complaints, that we do not have enough police to handle Zone 4. There just simply aren't enough bodies out there working on a daily and a nightly basis to handle the amount of problems that we have. I'm told that we have the lowest crime rate of any zone and that's the reason. Well, lowest crime rate does not mean there's no crime. You tell that to somebody that's a crime victim in Broadhead Manor when they make a call and the closest police car to them is in Beechview and the amount of time that it takes to get from one end of Zone 4 to the other. So, that's another problem that I am receiving complaints on a regular basis that really isn't addressed through this program.

I agree with the comments of some of the other Councilmembers that we are going to really have to take a close look at this thing in relation to our overall budget. It sounds great and I like it. But, if it

means the budget that we are presented with is one which drastically cuts into our normal services that calls for layoffs and things like that, I don't know if I'm going to go with this plan. It might be just another way of privatizing. There's a lot of discussion here in this proposal about how all the work is going to be assembled in big packages for a lot of these projects. So, if we're going to just cut down our workforce and, then, bid the work out, I don't know that we're getting anywhere. We're going to end up privatizing the work that's now done in-house by the city. So, we're going to have to take a very close look at that.

Then, on the issue of the budget itself and the revenues versus the expenses, I got to echo what Councilman Onorato said. I don't think you just take a look at this thing and say we need more revenues or revenues are less than expenditures, let's raise taxes. It's definitely not that simple of a discussion. We have which tax is it going to be, income tax or real estate tax, which one are we going to raise?

The impact and message that we send out when we raise taxes is so counterproductive that we can't make that kind of simple analysis. The fight that we're having now, what's the impact going to be? What's the signal we're sending to those people? I know the schools are a constant problem and that's cited as a reason by many people that move. Why give them another reason, though? They're raising taxes in the city. We just gave them another reason to move out. Whether that be a resident or whether that be a business. We can't just simply make these decisions based on, well, here's the budget, we need more revenue

so let's raise taxes. We have to look at the whole picture.

We also have to look at the fund balance. That may be something we're going to have to utilize to get us through some hard years. I do believe the city is growing and I do believe our tax base is growing. We saw some of that this year and we're going to have to take a look at what the projections are for next year.

I know, for example, the Pittsburgh Technology Center TIF is just about done with. At some point in the very near future, we are going to realize all the additional revenues from all the new buildings that are in Pittsburgh Technology Center. So, the plans or the seeds that we planted to try to grow this city, I think, are starting to sprout and grow. We have to take a look at all that. It's not just a simple, we have to raise taxes.

The Chair:

You're bringing up a good point. I believe the Technology Center was probably a 7 to 10 year TIF. Some of the TIF's we're giving out now are 20 years.

Mr. Hertzberg:

That was a 20, but the 100 percent of the revenue goes to repay that TIF. It was the assumption made with that TIF was for about a 50 percent buildout on the property. In fact, the buildout is much greater than that. With all the funding being dedicated to retiring the TIF, we'll be able to retire it in less than the original term.

The Chair:

I apologize. We did have a response. Ms. McDonald responded to Mrs. Urquhart's coming down so many times at our request and we missed a gentleman who was there. Again, I apologize. When we got into that debate, we didn't realize there were other people who were wishing to speak.

Could you please give your name and address for the public record?

PUBLIC COMMENTS

Mr. Bodnar:

My name is Chris Bodnar. I'm the President of Jet Messenger. I reside at 100 Anderson Street.

I'd just like to take a moment to address the issue of bike messenger regulations.

I have been involved as a messenger for nine years in the city. During that time, we've offered some valuable services to the community. We've kept cost at a minimum and we've reduced the number of vehicles in the city, probably by 30 or 40. During this time, my costs are partially based on my record of safety from insurance. So, what I'm trying to say is there are regulations in place by the insurance companies. But, they're also in place by the police who do a fair job, do an excellent job at policing us while we're doing our job.

I would just like to ask Council when they consider this matter that if they do find it a problem that they could possibly come to the owners or the managers of the organizations? We could

get together and come up with an amicable solution that would make everyone happy instead of just having maybe like a knee jerk reaction to the whole situation.

Thank you.

The Chair:

Ms. McDonald isn't here. She will be presenting that bill, I believe, tomorrow. If you would want to meet with her or have a public hearing, you're welcomed to do so. If you want to speak with her because it's her legislation. So, I would ask you to speak with her on some of your issues.

Mr. Bodnar:

How do you schedule a public hearing?

The Chair:

For a public hearing you would need 25 signatures. If you want to see Ms. McDonald, you may be able to work out some of your concerns beforehand.

Again, I apologize. I believe we as Councilmembers in the public comments should not respond because otherwise we get into big debates. So far we've done pretty well maybe outside of today unless it's a personal attack. We hope everyone speaking to Council will hold the three minutes and that includes everyone so that we're fair in not only their time, but our time.

If there's nothing else under Unfinished Business, we have one Committee Report from Mr. Hertzberg.

CHAIR REPORTS

Mr. Hertzberg:

Mr. President, this report was furnished to me by Guy Costa, the Acting Director of the Department of Public Works.

First, the street resurfacing program. We have resurfaced 52 miles of an 83-mile program, expending \$5,624,684.00. We are on schedule and within budget and expect to successfully complete the goals of the program. I've got to interject because I'm reading what is in the written report from Mr. Costa.

I think the issue is being re-evaluated. I've been told that by Mr. Sirabella. I think the last time I presented this report, you can see from the numbers that it doesn't look like we're going to get to our goal, there just isn't enough time at the pace we're going.

I'm told that what Public Works would like to do to reach our goals are to contract out more services than Council has allowed them to do. If you recall, we specified the percentage of the labor force that was to be city forces versus contracted out. So, I think we're going to be hearing from the Administration at some point shortly that they're going to want to revise that percentage. They believe this is the only way to do it. I think we need to check that very closely to see whether there isn't a way we can't add another crew of city forces to get this thing done within the season that we have.

The Chair:

If I may, I think that was our intention. Now, it's almost October so they probably five or six weeks left of paving. I don't know that we have a choice.

Mr. Hertzberg:

Well, we'll need to discuss that shortly I believe.

Mr. Ferlo:

Just on that point, can we get a breakdown or update on what has been done. I've seen very little activity in my council district. I want to have a sense of what has been done to date by district.

The Chair:

I know that in our last report they were way behind, say two months ago. I'm being told, again, second hand, that they are catching up. But, again, I would ask for the new director to give us a report on the paving and asphalt.

Also, Mr. Onorato was very adamant about tearing buildings down. I know that the Director as of May or June was telling us that he didn't even get into last year's budget. Now, this year's budget is gone. I don't know how many buildings we tore down. I know you put a lot more money into it. I was just told that the demolition money is now used up. I would urge you to ask for some of these numbers and we may have to have a meeting on it.

Mr. Hertzberg:

The demolition isn't in the Public Works Department, but on the street resurfacing I'm going to ask our Clerk if

she would ask the Director to specify then what streets have been done to date. I think is the question we're being asked.

On the street sweeping program, five recently purchased street sweepers have made our program more reliable and effective. We have swept 30,613 curb miles and expect to meet our program goal of 50,000 curb miles despite the draught restrictions. We have suspended street flushing except in emergency situations and we're using a minimal amount of water to lubricate the rubber components on the unit and to hold the dust down.

Park reconstruction - to date the following repairs and renovations have been completed. Concrete sidewalk and step repairs, Beechview Monument, Brookline Park, Bud Hammer Playground, Burgwin Playground, Cross and Strauss Parklet, Lewis Parklet, Paulson Recreation Center, Ream Playground, and Phillips Park.

Fence repairs new installations - Frick Park Batting Cage, Garvin Field, Moore Park, Volunteers Field, Armstrong Playground, Mellon Park Batting Cage, Oakwood Batting Cage, Kennard Field, Fairywood Basketball Court, Burgwin Field, West Park Ornamental Fence.

Record renovations - Fairywood Basketball Courts, McKinley Park Activities Building Basketball Courts, Fineview Courts, Boggs School Parklet Basketball Court, Chadwick Basketball Court, Osceola Parklet Street Hockey Court.

Other improvements have been safety surface installation to Fairywood Playground, installation of a Tee Ball Field

at Hess Playground. I believe that's the site we visited in Mr. Ferlo's district. I'm glad to see something's happening there.

Construction division - to date the following projects have been completed. Brick and Block Stone Street Restoration. We have repaired 1,607 square yards at a cost of \$107,892.00. Our program goal is 2,980 square yards. We are on schedule and within budget.

Concrete street slab replacement - we have repaired 1,201 square yards at a cost of \$93,793.00. We expect to surpass our program goal of 2,200 square yards and still remain within budget.

ADA ramps - we have installed 505 ramps at a cost of \$245,874.00. Our program goal is 1,391 ramps. We are on schedule and within budget.

Playgrounds - the construction division has completed a retrofitted Wightman Playground, constructed a new playground at the Friendship School and currently have two retrofits in progress at Eleanor Street and McGee.

The Department of Environmental Services has a public service announcement for spaying, neutering and health public safety code issues relating to stray cats that's currently on street life.

We are gearing up for the fall leaf collection program. More vehicles will be dedicated to the leaves collected on streets and in parks making operations more efficient by collecting more tonnage than conventional vehicles and increasing the compost tonnage.

The vacancy report in the Administration of 24 positions, 6 are

vacant and they have approvals to fill five. Operations full-time of 459 positions, there are 18 vacancies and 7 approvals to fill them. Seasonal, there's 54 positions and 9 vacancies and 9 approvals to fill those. Environmental Services, there are 238 positions, there are 16 vacancies and 11 approvals.

That completes the report, Mr. President.

Mr. Ricciardi:

Thank you for that report, Councilman Hertzberg.

The question I have colleagues is over the years, we've paid out probably hundreds of thousands of dollars, if not in the millions of dollars, in judgments, when someone gets hurt on say, a pothole or city steps. What I don't understand is in the 1800 block of Brownsville Road, obviously because of the buses, there's actually a 12 to 18 inch wave in the asphalt. It probably goes on 20 to 30, if not, 40 yards. I don't understand on how we work here in the City of Pittsburgh sometimes. What I mean is, I saw it and I did everything the right way. I put in a memorandum form, I sent it to the Mayor's Office, I sent it to the Mayor's Service Center, sent it to the Law Department to make sure that they're on notice that there's a dangerous condition out there, and sent it to Public Works; it's still there. Now, I would think that this would be a top priority because now the City's on notice. A lot of times they try to stop city residents from filing suit because they say, well, we didn't know of the dangerous situation.

So, I guess I'm just throwing this up to all of my colleagues out of somewhat frustration to see what goes wrong in a case like this. I have to give credit to Mr. Ferlo in saying that we have an army out there. I've been told that I was the only one who reported this. I find that mindboggling that I would be the only one that would report this when we have an army out there, an army of police officers and paramedics and firefighters and public works employees and staff and the Mayor's Department and our own staff. I find it difficult to believe that I'm the only one who reported it. But now, we're on notice. If someone gets hurt on there -- isn't it easier to go out there and spend \$5,000.00 or \$10,000.00 and fix it than wait for someone to fall and get hurt. I'm not really looking for a solution here, I'm just sending saying this to all Councilmembers. I'm sure you feel frustrated about certain issues. This isn't just saying that a tree needs to be pruned. This is saying that we have a real problem out there. I put the Law Department on notice on this. If somebody gets hurt, I think that I would volunteer to testify for that individual against the City of Pittsburgh.

I just wanted to bring that up because the Public Works did send over, it seems like, a very fine report. It appears that -- how much was spent in milling and resurfacing, Councilman Hertzberg? What was it, \$4 or \$5 million?

Mr. Hertzberg:

We've spent \$5,624,684.00 on resurfacing.

Mr. Ricciardi:

The question is, though, are we working smart, are we thinking smart, are we doing some roads that maybe should have waited a year or two and shouldn't the 1800 block of Brownsville Road been addressed? It's frustrating. I brought it up once again to get it into the record.

Thank you.

Mr. Diven:

Mr. President, just on that point. I can tell you my office has made a number of phone calls and sent memos regarding the same problem. So, you're not alone in your frustration regarding Brownsville Road and the deplorable condition of the surface of that road.

Mr. Ferlo:

I have addressed this issue in the past. Not only in my district, but also in the Forbes/Fifth quadrant in Oakland where, basically, the street had to be redone with a concrete underbase and an overlay that was different. Basically, we know that the Port Authority Transit is responsible for this activity. I'm sure everybody's leaving their house now trying to go to the 1800 block of Brownsville in order to trip and fall. I'm sure there's some unemployed lawyers up there waiting for people to fall.

The fact of the matter is Mr. Ricciardi is that there's 700 locations all around the City like this. I have a large number of them in my council district. It's a particular problem where Port Authority buses have an overlay, legal or illegal, where they overlay the bus and the fumes, basically, help to emulsify the asphalt. There's an improper asphalt patch or mix

use, there's not a good underlaymen, whatever the reason is.

I've asked this in the past, I don't understand why we can't hold the Port Authority accountable financially and to assist in the repair of all those particular intersections. If there's a 50 or 60-foot length at the intersection where the buses continually stack up or have an overlay or layover, they should help us prepare the street appropriately. It doesn't happen in the suburban communities because basically it's the urban core that gets the disproportionate number of buses. But, they usually will layover in the city as opposed to out in the suburbs. It should be resolved. It goes back to basically the problem of leadership and direction within the Public Works Department.

As Councilman Hertzberg pointed out, we have spent \$6 or \$8 million dollars this year on asphalt. I'll go down a hundred streets that have just been redone. Give me one month's time and I will show you where a contractor or plumber or utility company or light company or somebody who has dug the street up and not put it back probably. Black Street in my district was done just a few years ago. If you go up to that light to that street, it's not that long, you will see approximately 22 disruptions and excavations of the street since we asphalted it just a few years ago. Many of them were done by Public Works and the Pittsburgh Water and Sewer Authority. None of them were put back properly by city agencies or city authorities or private contractors like Duquesne Light. The problem is we're not inspecting anymore. Either we don't have enough people or they're out busy with so many other tasks like worrying about street

cafes or other things that I think are less important.

So, we're basically spending millions of dollars, but we're not managing our streets. Yet, we've passed directors who come up to the table and gives us more malarkey after more malarkey after malarkey and everybody on this Council including the Mayor and listens to all this malarkey and more malarkey and more malarkey and believes him. In any event, sometime, somewhere something's going to change.

Can I speak on a separate issue?

The Chair:

Yes.

Mr. Ferlo:

I wanted to ask Chairman Hertzberg and others, we have the Economy League either this week or next week. There's discussion about again asking them to help with revenue forecasting in the corporation will be \$20,000.00. But, for the same amount they're willing to do revenue forecasting to also look, as I have encouraged or asked in the past, that a best practice of some city government operation.

I think everyone of us have a different option or perception of the effectiveness of the street cleaning program. Notwithstanding the purchase of five new vehicles, I still think there are major concerns and issues that we should look at, review and resolve regarding the so-called street-cleaning program in the city.

Basically, we have a one size fits all, large sections of the city are not done. There's no thought given to maybe one area of the city or part of a neighborhood needing it, more like a commercial neighborhood corridor versus a more residential corridor, streets that have close to major institutions getting more and some getting less. Whatever you want to discuss, I would ask that we consider having the Economy League work in cooperation with this Council and the workforce of Public Works and we review specifically the street cleaning initiatives with the goal of trying to make some improvements. They can look at best practices like in similar urban areas similar to Pittsburgh and we can begin to talk with the community groups and residents and commercial folks about what's effective, what's not effective, what our cleaning should be, it doesn't necessarily just have to be the sweeper program.

So, I would like to suggest that that be a specific best practice that we ask the Economy League to look at. It's not threatening, it doesn't involve any cuts in the workforce or anything like that. It's just a management information and a management efficiency kind of initiative that we need to look at. I hope we make some changes. Mr. Seeper who came down here last week said why don't we just at least do everybody once a month rather than have this elusion that we're actually out there every week.

I would just ask that maybe we can consider having the Economy League do that as the one specific focus for the upcoming year.

Mr. Hertzberg:

I don't have any problem with that whether it be the Economy League or anyone else. I know we have on hold a resolution that has this kind of study going on with the refuge department. It's not the Economy League, it's another consultant. But, whether it be the Economy League or some other consultant, I have no problem with that. I think it's a good idea.

We currently are supposed to be going through the American Public Works Association Accreditation Process as well, but I don't know that that will really focus in on our particular street sweeping program. That's something else we could check to see how thorough of a job they'll do there.

I've had some discussions with Acting Director Costa about looking at all the operations in the Public Works Department and certainly street sweeping would be included. Having a consultant do the same thing they're proposing for refuge. Refuge isn't going to move forward until there is a contract between Teamsters 249 and the City of Pittsburgh. I think that would be the wrong way to do this. So, that's why that's on hold.

The Chair:

I think Mr. Ferlo brings up a good point. I think it's an easy one and something that has to be looked at. Let's take a fresh eye and evaluate what other cities do. I know in my district, along the business corridor, they're all asking that it be done sooner, instead of 8 to 2 could it be finished by 11 so that their customers and employees can park. There's a lot of good points out there that I think need to be addressed.

Actually even looking at snow removal, I had a person grab me on the street. First I was negative saying I didn't think it would work, but I thought she brought a very good idea. If it's a big snow, you would follow the guidelines of the street cleaning, don't park on this side or that side and give the snow removal people the opportunity to do a better job. So, there's a lot of opportunities out there that I'm sure if someone took a fresh look at it, we could really improve our services.

Moving now to Reports of Committee, Finance and Budget, Mr. Ricciardi for Mr. Udin.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2034:

Report of the Committee on Finance and Budget for September 8, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1916:

Resolution authorizing the transfer of Seven Thousand Five Hundred (\$7,500.00) Dollars FROM Rent, Office, Organization: 121000, Account: 561800, Fund: 1000, Sub Account: 140, Budget Yr.: 1999, TO: Organization: 121000, Account 516000, Index Code 112615, Fund: 1000, Sub Account: 020, Premium Pay, Budget Yr. 1999, Department of General Services, Bureau of

Administration. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 1925:

Resolution transferring the amount of Three Hundred Thousand Dollars (\$300,000.00) from Salaries to Premium Pay, \$150,000 from the Bureau of Operations and \$150,000 from Environmental Services, both within the Department of Public Works. (PRESENTED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 1973:

Resolution providing for the issuance of a \$4,325.00 warrant in favor of Mary R. Meyer of 2339 Spring Street, Pittsburgh, PA 15210, in settlement of a claim in which claimant's sewer backed up causing damage to her property on several occasions on February 28, 1999, charging same to Code Account 46, Index Code 004606, Fund 1000, Sub 170, Account 582200, Org. 999200.

Which was read.

Also,

Bill No. 1974:

Resolution amending and restating Resolution No. 536 in order to modify and correct certain amounts and references, determining to incur lease rental debt in an aggregate principal amount of eighteen million eight hundred five thousand

dollars (\$18,805,000) by entering into a supporting agreement with the Public Auditorium Authority and Allegheny County.

Which was read.

Also,

Bill No. 1975:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program, for the sum of \$100.00 per parcel, as follows:

(A) Purchaser: Ralph M. Stoughton, Jr. & Alberta M. Stoughton, his wife
LOT 23.75 X 175.88 X 23 rr
LOCATION 52 Holt Street
WARD 16 BLOCK 13 C LOT 181
COUNCIL DISTRICT #3

(B) Purchaser: Karl E. Hohman
LOT 20 X 100
LOCATION 131 St. Joseph Way
WARD 17 BLOCK 3 S LOT 38
COUNCIL DISTRICT #3

(B) Continued
LOT 20 X 100
LOCATION 133 St. Joseph Way
WARD 17 BLOCK 3 S LOT 39
COUNCIL DISTRICT #3

(C) Purchaser: Fred D. Best & Francis Shea-Best, his wife

LOT 50 X 60
LOCATION 514 Loyal Way
WARD 18 BLOCK 14 E LOT 74
COUNCIL DISTRICT #3

(D) Purchaser: John L. Price, Sr.
LOT 24.5 X 75
LOCATION 838 McLain Street
WARD 18 BLOCK 3 P LOT 233
COUNCIL DISTRICT #3

(E) Purchaser: Melissia G. Blakey
LOT 25 X 100
LOCATION 419 Vandalia Street
WARD 18 BLOCK 33 A LOT 1
COUNCIL DISTRICT #3

(F) Purchaser: David Schneider & Sharon Schneider, his wife
LOT 22 X 69
LOCATION 1130 Voskamp Street
WARD 24 BLOCK 24 F LOT 263
COUNCIL DISTRICT #1

G) Purchaser: Melissa M. Helms
LOT 20 X 64
LOCATION 69 Royal Street
WARD 26 BLOCK 47 E LOT 184
COUNCIL DISTRICT #1

(H) Purchaser: Vicki L. Courie
LOT 18.46 X avg. 103.49 X 56.31
LOCATION 5 Ogden Street
WARD 28 BLOCK 67 L LOT 195
COUNCIL DISTRICT #2

(I) Purchaser: Andrew M. Petro & Rita Jean Petro, his wife
LOT 25 X 120 X 42.47 rr.
LOCATION 1231 Stock Street
WARD 31 BLOCK 184 N LOT 308
COUNCIL DISTRICT #5

Which was read.

Also,

Bill No. 1976:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Intended Use on all properties is Development under property reserve.

(A) Purchaser: Mt Washington Community Development Corporation
PURCHASE PRICE: \$1,000.00 + Costs
½-Two story frame and aluminum siding house requiring rehabilitation.
LOT: 23.15 X avg. 74.85 X 28.15 π
LOCATION: 444 Natchez Street
WARD: 19 BLOCK: 4 J LOT: 163
COUNCIL DISTRICT #2

(B) Purchaser: Mt Washington Community Development Corporation
PURCHASE PRICE: \$1,000.00 + Costs
½-Two story inselbrick house requiring rehabilitation.
LOT: 27.03 X avg. 77.43 X 21.85 π
LOCATION: 446 Natchez Street
WARD: 19 BLOCK: 4 J LOT: 164
COUNCIL DISTRICT #2

(C) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$1,000.00 + Costs
Two and one half story brick house requiring rehabilitation.
LOT: 20.17 X 47.50
LOCATION: 1507 Arch Street
WARD: 25 BLOCK: 23 F LOT: 326
COUNCIL DISTRICT #6

(D) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$1,000.00 + Costs
Two story brick house requiring rehabilitation.
LOT: 13.5 X 55
LOCATION: 1506 Arch Street
WARD: 25 BLOCK: 23 F LOT: 338A
COUNCIL DISTRICT #6

(E) Purchaser: P.H.A.S.E.

PURCHASE PRICE: \$1,000.00 + Costs
One story metallic veneer garage requiring rehabilitation.
LOT: 20 X 34
LOCATION: 500 Armandale Street
WARD: 25 BLOCK: 23 E LOT: 171
COUNCIL DISTRICT #6

(F) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$1,000.00 + Costs
Three story frame house requiring rehabilitation.
LOT: 20 X 100
LOCATION: 502 Armandale Street
WARD: 25 BLOCK: 23 E LOT: 173
COUNCIL DISTRICT #6

(G) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$100.00 + Costs
LOT: 20 X 66
LOCATION: 1607 Garfield Avenue
WARD: 25 BLOCK: 23 E LOT 172
COUNCIL DISTRICT #6

(H) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$1,000.00 + Costs
Two story brick house requiring rehabilitation.
LOT: 20 X 88
LOCATION: 504 Jacksonia Street
WARD: 25 BLOCK: 23 J LOT 66
COUNCIL DISTRICT #6

(I) Purchaser: P.H.A.S.E.
PURCHASE PRICE: \$1,000.00 + Costs
Three story brick house and store requiring rehabilitation.
LOT: 30 X 110
LOCATION: 314 Jacksonia Street
WARD: 25 BLOCK: 23 F LOT 301
COUNCIL DISTRICT #6

(J) Purchaser: Observatory Hill, Inc.
PURCHASE PRICE: \$1,000.00 + Costs
Three-two story brick houses requiring rehabilitation.
LOT: 98.33 X 110.165
LOCATION: 3712-3718 Baytree Street

WARD: 26 BLOCK: 116 E LOT 10
COUNCIL DISTRICT #6

(K) Purchaser: Beltzhoover Citizens
Community Development Corp.
PURCHASE PRICE: \$1,100.00 + Costs
Two story brick apartment and store
requiring rehabilitation together with
adjoining vacant lot.

LOT: 50 X 50
LOCATION: 121-123 Climax Street
WARD: 18 BLOCK: 15 G LOT 224
COUNCIL DISTRICT #3

(K) Continued
LOT: 50 X 50
LOCATION: 125 Proctor Way
WARD: 18 BLOCK: 15 G LOT 226
COUNCIL DISTRICT #3

Which was read.

Also,

Bill No. 1982:

Resolution authorizing the transfer
of Thirty Six Thousand Dollars (\$36,000)
from the Local Law Enforcement Block
Grant Trust, Fund 2445, Org. No. 230000,
Subclass 600, Account 540000, Budget
Year 1999 to the Equipment Leasing
Authority for the purchase of two detective
vehicles and related accessories.
(PRESENTED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and
title of the bills, is there any discussion on
the bills?

Mr. Ferlo:

In relation to the \$18,805,000.00
plus, I guess we're calling it an Agreement
Incurred Lease debt repayments for the
Civic Arena. It's an intricate proposal
basically involving the refinancing of the
prior debt and occurring new debt in order
to sustain the new Penguin Mario Lemieux
operation.

I do have a reservation as I
expressed last week. I think given the fact
that now the RAD Board has made a
multi-year, they thought a multi-decade,
commitment of RAD dollars for
something that basically has been a city
and county governmental operating budget
burden, I want to thank them for that
commitment. I do believe that it's one of
the more legitimate reasons why we have
the Regional Asset District Tax in the first
place. Everyone, I think, benefits
regionally. I don't think it can be argued
that this is just something that benefits the
City of Pittsburgh.

So, I had hoped actually in the deal
that was going to be put together that we
would get rid of the debt service that the
city and the county has. Most of the other
RAD funded activities, in the past, had
only been funded by the city government
where we had the debt in our books, like
the zoo and other things. When the money
came from the RAD, we took that off of
our books and we were able to pre-opt
dollars. I think the same should be held
here. It was not in the cards. The majority
of my colleagues still believe it's
important and I basically resigned myself
to vote for this because this point is the
best offer we have on the table.

What I'm not happy about, unless
my legal counsel friends on Council can

speaking otherwise, I read the amendatory agreement. This agreement is the agreement regarding the dollars but it actually approves an amendatory agreement, which we asked for a copy of. Maybe this was agreed to or committed to and I got lost along the way, I don't know.

I had always perceived that two things would happen. If there were naming rights for the Arena, that city and county government, in addition to the fact that there's an Public Auditorium Authority Board, would have to agree to any of the renaming of the public facility. This is a public facility; we're not talking about a private recreational facility, we're talking about a public institution. So, any notion of the naming rights for that Arena, as well as the dollars, -- this agreement, we're agreeing, if I understand this Section 8 on naming rights, which has now been slipped in here, it basically says that the Authority, the Public Auditorium Authority and SMG agree to the fact that the Pittsburgh Penguins, as long as they're playing professional hockey at the NHL level at the Arena, that for as long as the Arena lease and the Penguins sub-lease remain in force, the Lemieux group may, in its reasonable discretion, sell the naming rights to the Arena and receive 100 percent of the proceeds from the sale of such naming rights.

Now, this is where I have to part company. I was willing to resign myself to the majority opinion here that this is the best deal we have and we're still going to be paying less and that if we didn't have the Penguins we would still have the debt. I agreed with all that and I voted last week in favor of this agreement. I'm not willing to vote in favor of just the giving away our rights, the public's rights, on the issue of

the renaming of the Civic Arena Stadium. I'm also not willing to give away all the money. I don't think that's fair.

If they're able to make or sell their naming rights, there's a lot more games at the Arena than there are football, less games than baseball. But, I would guess, from a marketing point of view, you should be able to get \$10 or \$15 or \$20 million dollars for the naming rights of the Arena. I mean, that one guy, the Cuba gentleman, who's last name I think is Cuba or Cubin, he's so wealthy maybe he wants for \$50 million dollars he wants to have his name because he couldn't buy the team, who knows. There might be money out there.

I don't see why, given the fact that we still have this public commitment for hockey and given the fact that in the end we know we're going to end up building another new arena somewhere if not there, why we're giving up both the rights on the naming rights without our input. There are some things that I would not want it to be named. Also to give away 100 percent of all of the proceeds, I'm sorry I have to part company there.

I'm sure it's going to pass today, but I'm opposed to this Council and the public giving away any involvement in approving or sanctioning the naming rights for the Arena. I'm equally opposed to giving back to the Lemieux group 100 percent of the proceeds of the sale, I don't think that's fair. I think there should be a sharing of the revenues. I think if we can eliminate the \$200,000 plus that still remains as part debt service, I think we should do that. I don't think it's fair to give them both the rights exclusively to name and keep 100 percent of the

proceeds. I'm sorry if it's viewed as obstructions, I don't think it's fair and I don't think it's a good deal and I also question it legally.

I don't know why the city would relinquish the public sector, the elected officials of the county and city level, relinquish this obligation. It's almost like, well, you want our money, but you don't want us to be involved in the naming of the Civic Arena or have any of the proceeds. I don't agree with that. I'm sorry.

I'm going to vote no respectfully on Bill 1974. It does not mean that I'm opposed to having hockey at the Arena. It does not mean I don't appreciate the leadership that Mr. Lemieux and the investment that he's made. I just don't think this is a fair deal and I resent it.

Thank you.

Mr. Hertzberg:

The issue of the naming rights, I think we have to remember the Pirates and PNC Park if we're going to try to say what's fair and make comparisons. In fact, the Pirates used the sale of the naming rights for that Stadium to make up their component of the financing for construction of that stadium. So, they used 100 percent of the revenue from naming rights, the Pirates have.

The other question and this comes up with the Pirates, the Steelers and the Penguins, the whole economic structure of this force. That's the case the Penguins have been making. They were in bankruptcy for a reason, things weren't working financially. I think the numbers

show that more professional hockey teams are losing money on an annual basis than are making money.

So, if we made a decision that we want to keep this team, and I think we have made a decision, I think everyone wants to keep the Penguins. If we made a decision to keep them, we need to give them a structure where they're going to be able to survive financially. This is part of that structure, it's that simple. They've had negotiations in bankruptcy court, they've had 11th hour and 12th hour, they've had extensive negotiations and that's one principle that everyone's tried to keep in mind.

If you're going to give SMG everything it wants, this isn't going to work. If you're not going to allow the Penguins to utilize certain streams of revenue, it's not going to work financially. This is one of those streams of revenue they need to make the whole thing work in a small, medium market like we have here.

The other issue is, you know, do you want to have a team where we have to get rid of every decent player and just have a team to have a team. I don't think we want to do that either.

I'm going to support the legislation as I have in the past. I appreciate Mr. Ferlo's concerns. They're genuine concerns, but really I don't think there's any choice.

Mr. Ferlo:

It's like speaking to the wind. I grow tired of this constant description about these struggling sports teams. As far as I'm concerned, every darn team, I don't

care if it's in Pittsburgh or any other urban area, I don't care if it's football, baseball or hockey, they're professional blackmailers, we know what they are. Let's put it out on the table. Every one of these sports teams are a bunch of racketeers and we know it. There's no difference as far as I'm concerned other than the fact that they have a lot of fancy suits, a lot of briefcases and get over like bandits. That's just how I feel.

The fact of the matter is, now we have Senator Specter out there holding hearings about how the fact that the urban areas are being blackmailed and we have to come up with so much money for all these stadiums. Where was he four years ago? We already built the damn things now. Now, he's a little bit late unless he's going to give us some money back to the RAD fund.

I'm not saying they shouldn't get money from the naming rights, they should. If that could help them be financially sound, I'm for that. But, at some point, can we remove any of the financial burden of the city capital-operating budget? That's what I'm asking for. I'm saying, don't necessarily give them 100 percent. Yes, give them some money for the naming rights. We should have a sign up for the naming rights and let them get a majority of the revenue. But, shouldn't our goal be to get rid of the debt service to the city operating and capital budget?

At some point, we need these institutions in the city so we can collect some parking tax and amusement tax. The idea is to make some money on these facilities in order to help an urban core that produces employment pay for everybody

in the region and who's individuals pay a lousy \$10.00 occupation tax. So, I'm not going to feel guilty that these institutions are in the city and we benefit from some of the tax revenue. At some point, let's benefit from more than tax revenue since the legislators and others who aren't willing to come forward to help our city's struggling budget.

Mr. Ricciardi:

I will remain consistent and vote no on Bill 1974 as I have on other legislative bills before us dealing with stadiums. I think Mr. Hertzberg raises a very good point, but the point that he raises is the reason that I'm voting no and others throughout the City of Pittsburgh do not support these type of bills.

It is not the responsibility of government and taxpayers in the City of Pittsburgh and in this region to keep these franchises healthy. It's as simple as that. I don't believe it's our responsibility to keep them healthy. The industry needs to revisit their regulations or their policies or their operating structures. It's just not the responsibility of an average taxpayer here in our City of Pittsburgh to keep these teams operating and, not only operating, but making profits for their owners.

Thank you.

The Chair:

I certainly think we could argue this debate for quite a well. I just saw on TV -- we're getting on the Arena naming rights just to double check with this new board and everything, I presume that a Council Member would stay on the board.

Mr. Ferlo:

Mr. Cohen is on the Public Auditorium Authority.

The Chair:

Once they merge the three teams and the Convention Center, the one board, does it still keep a Councilmember on that?

Mr. Ferlo:

So far on the Public Auditorium Authority, yes.

The Chair:

So, as long as that, at least, we will have representatives there.

Mr. Ferlo:

We have noticed a lot of 4:1 votes recently.

The Chair:

Concerns about naming rights, I think you bring up a good point. Again, they've been good citizens. I doubt if they'll name it under someone who we wouldn't want, whether it be Hussler Magazine or whoever. Hopefully, that's not the case.

But, to open and debate it's amazing to the public. No one wants to pay the ball players, no one wants to pay for the stadiums, but everyone wants them to stay here. So, everybody wants their cake and eat it too.

I just saw a TV debate on it and one of the experts said, as long as the

public's going to pay the prices, nothing will change. So, that goes for the fan buying \$5.00 cokes and bottles of beer and \$6.00 hot dogs. As long as they're filling up these stadiums all over the country, I don't think we're going to change it here.

One point you made Mr. Ferlo I see SMG raised their parking rates too, I believe, \$3.00 an event. The only consolation to us would be if almost a buck comes back to the city out of that \$3.00. At least, we are getting some revenue. We benefit that way. It's amazing after they make the deals that there's always ways to get someone to pay and evidently they're paying the price. I haven't had one phone call as far as the parking rates.

Any other discussion?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll?

AYES:

Mr. Diven

Mr. Ferlo

Mr. Hertzberg

Ms. McDonald

Mr. Hertzberg:

Is it procedurally inappropriate to make a motion to recommit at this point on 1974?

Mr. Ferlo:

Not in the middle of a vote, Mr. Chairman. If there's not a majority, it will

be tabled until such time that we can bring it back to the table.

Mr. Onorato:

Or you can reconsider it next Tuesday.

AYES:

Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Diven abstained on 1974; Mr. Ricciardi and Mr. Ferlo voted no on Bill 1974)

Bill 1974 there not being a sufficient number of majority votes of Council being in the affirmative, the bill was tabled. The other bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2035:

Report of the Committee on Public Works, Water and Environmental Services, for September 8, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1855:

Resolution vacating a portion of Hankla Way in the 19th Ward, 2nd Council District of the City of Pittsburgh. (PUBLIC HEARING HELD SEPTEMBER 7, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Hertzberg:

I would like my comments brought forward on this bill involving a vacation of a right of way in Mt. Washington that we had a public hearing on.

The Chair:

The bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called. All those opposed will vote no.

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

The Bill has received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 20386:

Report of the Committee on Housing, Economic Development and Promotion, for September 8, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1927:

Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the Urban League Counseling Program at a cost not to exceed \$99,200.00, chargeable to and payable from the 1998 Community Development Block Program, Department of City Planning, "URBAN LEAGUE COUNSELING PROGRAM", Project No. 566100-2610-810000-C1998-2216303-1998. (PRESENTED BY MS. MCDONALD AND MR. UDIN)

Which was read.

Also,

Bill No. 1999:

Resolution Amending Resolution No. 295 effective June 6, 1997, as amended by Resolution No. 669 effective October 31, 1997 and by Resolution No. 378 of 1999, entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,105,350.00, chargeable to and payable from the 1997 Community Development Block Grant Program" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2000:

Resolution Amending Resolution Nos. 29, 106, 301, 503, and 643 of 1997, as amended by Resolution No. 303 of 1998 and by Resolution Nos. 380 and _____ of 1999, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reprogram funds in City Council and transfer a project from the Housing Authority of Pittsburgh to the Department of City Planning (Urban League). (SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2001:

Resolution Amending Resolution No. 617 of 1996 as amended by Resolution No. 826 of 1996, as amended by Resolution No. 1001 of 1997, and by Resolution No. 76 of 1999, entitled "Resolution providing for an Agreement or Agreements with various community

organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 Community Development Block Grant Program" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2002:

Resolution Amending Resolution No. 298, effective June 12, 1998, as amended by Resolution No. 445 effective August 19, 1998 and by Resolution No. 7 of 1999, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,134,945.00" so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2003:

Amending Resolution No. 381 effective June 18, 1999 as amended by Resolution No. 291 effective June 1, 1998, by Resolution No. 362 effective June 25, 1998, by Resolution No. 453

effective August 19, 1998, Resolution No. 8 effective January 28, 1999 and by Resolution No. 533 of 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2004:

Amending Resolution No. 624 as amended by Resolution No. 1000 of 1996, by Resolution No. 250 effective May 17, 1997 and by Resolution Nos. 77 and _____ of 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses

within categories", so as to reprogram funds in City Council. (SPONSORED BY MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

MR. HERTZBERG moved to amend Bill No. 2000 and 2004 by substitution.

MR. UDIN seconded the motion.

Mr. Hertzberg:

You've all been furnished with it and you should have received an explanation from Rich Bellisario in Planning.

Originally the two budget amendments were submitted by the URA to change the number of projects to create a new line item called River Avenue Redevelopment Project, which were Council Bills No. 1858 and 1859. These two pieces of legislation were subsequently amended by substitution and are now 1858a and b and 1859a and b and capital funds were used to fund the project. At the request of Councilman Hertzberg, we were asked to submit legislation re-programming funds to the West End/Elliot joint project and the Mt. Washington CDC Duquesne Heights project.

The legislation that we submitted included line items from the amended pieces that were passed by City Council. We, therefore, needed to substitute the legislation to reflect the CD budget with

the correct line items as well as the changes requested by Councilman Hertzberg, Bill Nos. 2000 and 2004. The changes are administrative in nature and only reflect the 1996 and 1997 CD budgets that's passed by City Council.

That's the explanation.

The Chair:

Do you want to vote on the amendment?

Mr. Hertzberg:

Yes.

MR. DIVEN moved to adopt the amendment.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven
Mr. Hertzberg
Mr. Onorato
Mr. Udin

Mr. Ferlo
Ms. McDonald
Mr. Ricciardi
Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 2037:

Report of the Committee on Lands, Buildings and Procurement for September 8, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1923:

Resolution authorizing and directing the Director of General Services to install an audio system, capable of amplifying the comments and testimony of the Zoning Board, witnesses and observers present in the Board and Commission hearing room on the first floor of the building located at 200 Ross Street within forty-five (45) days of the passage of this resolution; and also calling for the institution of a moratorium forty-five (45) days after the passage of this resolution, or until such time that a sound system is installed. **(SPONSORED BY MR. FERLO)**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

The bills having received the legally required number of votes have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 2038:

Report of the committee on Parks, Recreation and Youth Policy for September 8, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1969:

Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$800,000.00, and shall be chargeable to and payable from the Special Summer

Food Service Program Trust Fund, Account 525530, Fund 2855, Organization 521230, Subclass 600, Year 1999, in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 1970:

Resolution providing for an Agreement or Agreements with City Source Associates for the purpose of providing professional services for the 1999 Community Enrichment Program for the Department of Parks and Recreation. The total cost shall not exceed \$110,000.00, and shall be chargeable to and payable from the Special Parks Program Trust Fund, account 526150, fund 7314, organization 523010, subclass 600, budget year 1999, in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 1971:

Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP recreational and Senior Citizens Program in an amount not to exceed \$845,000.00 for the Department of Parks and Recreation, chargeable to and payable from the Housing Authority, Recreational and Senior Programs, Account 525500, Organization 500000, Fund 2610, Subclass

C1999, Grant/Project 2215003, Budget Year 1999.

Which was read.

Also,

Bill No. 1972:

Resolution providing for a contract or contracts, agreement or agreements, or the use of existing contracts, or agreements for the payment of supplies, equipment, materials, salaries, rentals, and other services required in connection with the Baseball is Great (BIG) League Youth Sports Program in an amount of One Hundred Thousand (\$100,000.00) Dollars, chargeable to and payable from Account 525500, Organization 102000, Fund 2610, Subclass C1999, Grant/Project G224117, Budget Year 1999.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All those in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Diven
Mr. Hertzberg
Mr. Onorato
Mr. Udin

Mr. Ferlo
Ms. McDonald
Mr. Ricciardi
Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2039:

Report of the Committee on Public Safety Services for September 8, 1999, transmitting sundry of resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1917:

Resolution providing for an Agreement or Agreement with a consultant or consultants for professional services for the Youth Policy Office, at a cost not to exceed \$84,000.00, chargeable to and payable from Fund 2481, Subclass 600, Account 526100, Org. No. 210000, Budget Year 1999.

Which was read.

Also,

Bill No. 1918:

Resolution providing for an agreement with Progressive Insurance and/or National Insurance Crime Bureau for the use of a specialized auto theft sting vehicle, and providing for the payment of the cost thereof, not to exceed One Dollar (\$1.00) chargeable to and payable from Fund 1000, Subclass 150, Account

520000, Org. No. 210000, Budget Year 1999, Department of Public Safety.

Which was read.

Also,

Bill No. 1919:

Resolution providing for an agreement with Pittsburgh Mediation Center for professional services at a cost not to exceed \$20,000, and providing for the payment of the cost thereof, not to exceed Twenty Thousand Dollars (\$20,000), chargeable to and payable from Fund 1000, Subclass 150, Account 525200, Organization 210000, Budget Year 1999, Department of Public Safety.

Which was read.

Also,

Bill No. 1920:

Resolution providing for an Agreement or Agreements with a psychologist(s) or counselor(s) for professional psychological services at a cost not to exceed \$75,000, and providing for the payment of the cost thereof, not to exceed Seventy Five Thousand Dollars (\$75,000.00), chargeable to and payable from Fund 1000, Subclass 150, Account 526300, Org. No. 210000, Department of Public Safety.

Which was read.

Also,

Bill No. 1921:

Resolution authorizing an Agreement or Agreements with a consultant or consultants for the purchase of software maintenance for computerized tripsheets for ambulance services and providing for the payment of the costs thereof, not to exceed Three Thousand Five Hundred and Twenty Dollars (\$3,520.000), chargeable to and payable from Fund 1000, Sub-Class 150, Org. No. 220000, Account 522500.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Thanks to this Council many years ago the city administration and, most notably, the Housing Court and the Police Bureau have interacted on a daily basis with the Pittsburgh Mediation Center. I think they have done a great job in performing some important services and help to train appropriate staff. I think it's a good relationship for the money we're spending.

I would like to suggest that the President think about maybe expanding their activities. We have several individuals who repeatedly come to these Chambers during the community input session who basically who are extremely frustrated with this system, let's just say it that way. Regardless of how I feel about the particular issue and regardless of the fact that I wish they were part of an advocacy group who could structure their frustration and criticism in a more directed fashion, I would like to suggest that we

call upon the Pittsburgh Mediation Center on occasion, through you, with request from colleagues through you, to maybe intervene in where there's such a high level of frustration and this very lack of communication. Basically everybody here is zoning people out, at least, I am and I'll be the first to admit it. There may be that the Pittsburgh Mediation Center can be helpful just to at least try to clarify fact from fiction, just help to resolve it.

I think it would be a lot helpful to the individuals who come here frustrated without some result. I think it would also be helpful to the community input process, which to me is going to become aborted if it just becomes a very non-productive part of the Council sessions on Tuesdays and Wednesdays. I'm sure the staff, especially our Clerk's staff, doesn't need to be harassed by people on end.

So, I would like to ask that we think about that. Maybe, if people agree, we ask that you communicate to the Pittsburgh Mediation Center and maybe we can set something or you, through the Clerk or the Clerk through you, at least try. There's no guarantee that people will want to use them as a resource. I think in certain instances it might be a lot more helpful.

Thank you.

The Chair:

I think it's a very good suggestion and we'll make contact with them right away.

Any other discussion?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

(Mr. Onorato voted no on Bill 1920)

The bills have received the legally required number of votes and have passed finally.

Ms. McDonald:

I'd like to register aye votes for all the bills that fall into the Committee on Finance and Budget.

Mr. Ferlo:

Mr. President, I raise an objection. It's completely out of order as it relates to a bill that was tabled. It would be appropriate if colleague wants to make a motion to untable a bill, but we took a final action --

Ms. McDonald:

Councilman, you didn't hear what I said, the bills that have already been voted on. I will untable the bill. I'm excluding that for right now since that's a separate vote. But, I would like to register an aye

vote for all the remaining bills in the Committee on Finance and the Budget.

The Chair:

And, you're making a motion to untable Bill 1974?

Ms. McDonald:

I'm first asking to register aye votes on all the bills that are in Finance and Budget excluding Bill 1974.

Now, I would like to make a motion to untable Bill No. 1974.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Will the Clerk please call the roll on the untabled bill?

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Six **NOES** Two

(Mr. Ferlo and Mr. Onorato voted no)

The bill is untabled.

The Chair:

We will have a roll call vote on Bill No. 1974.

AYES:

Mr. Hertzberg
Mr. Onorato

Mr. McDonald
Mr. Udin
Mr. O'Connor
(Pres't)

(Mr. Diven abstained; Mr. Ferlo and Mr. Ricciardi voted no)

The bill has received the legally required number of votes and has passed finally.

Under Motions and Resolutions.

MOTIONS AND RESOLUTION

Mr. Ricciardi:

In the interest of time, I'll be very brief. Mr. O'Connor, as you know the City of Pittsburgh is the largest municipality in Allegheny County, both in terms of population, residents, number of businesses, square acres and also in regards to our budgets. We also, according to a study several years ago, pay more county taxes than the next 10 municipalities in Allegheny County.

The reason I'm bringing this up is because I'm very concerned that a major decision is being made of the County Commissioners in terms of creating an Airport Authority. The reason I have great concern about that is I don't think we have been properly briefed along with other municipal officials in Allegheny County and residents and I believe a public hearing should occur.

I'd like to make a resolution, if I may, colleagues, urging the three Allegheny County Commissioners to hold a public hearing in the City of Pittsburgh

before they vote to create or establish an Airport Authority in Allegheny County. Also, making our Chambers available for a televised public hearing at their discretion, obviously.

MR. HERTZBERG seconded the motion for discussion.

Mr. Hertzberg:

This is an excellent idea from Mr. Ricciardi. I share his concerns and I'll be brief also. I think we could talk about this at length and we probably will when we have this public hearing.

I'm really concerned about the idea of having an airport authority. I don't know where it's coming from. We may have the best airport in the world right now in Pittsburgh, but there are a few things that need to be ironed out. Particularly, the fares charged by US Air and their lack of competitiveness. I don't know why we need an airport authority to do that though. So, I don't know where this is going. From what I'm reading, it just seems like the two Commissioners that are pushing this, all three of whom are out of office, obviously, are just trying to put in some of their favorites onto this Airport Authority and trying to create situations where they can't be removed for whoever inherits this Chief Executive position. It's a situation that I think is going to bring nothing but problems if we let it go on.

So, I'm in full support of having a public hearing doing anything we can to look into this and stop the formation of this Airport Authority.

Mr. Udin:

I think the first thing we ought to do, colleagues, is to check the record to see what the legal status of it is. If I'm not mistaken, and please correct me if I'm wrong, the authority has already been established. What is remaining to be done is the assets of the airport transferred to the authority. There's some debate as to whether or not that transfer should take place.

Now, the County Controller, obviously, has objected to the creation of the authority and has not signed off on it. But, whether or not the authority exists I think is a question that we ought to determine legally. If we want to make an intervention, that's one thing. If we're talking about the transfer of the assets, which is currently the only thing being discussed by the Commissioners, that's a different thing.

I just think we ought to know exactly what the status is.

The Chair:

You're requesting our Law Department to give us an answer?

Mr. Udin:

That would be a good idea, Mr. President.

Mr. Hertzberg:

I don't think there's any dispute. I think Mr. Udin is correct in the terminology here. He's absolutely correct technically where the process is. But, if you have an authority that has not received its major asset, the authority is not going to be able to do anything.

Mr. Udin:

Sure.

Mr. Hertzberg:

So, this is the second step that's needed. It's the same issue really in substance although the procedure is a little tricky. I think we just need to be clearer on what we seek the public hearing on. But, I think Mr. Ricciardi's intent is the same direction that Mr. Udin is talking about. That is, how do we stop this from happening. So, if it would involve the transfer of the airport to the authority, I think that's what we're calling for a public hearing on.

The Chair:

Are you requesting that the Commissioners have the public hearing?

Mr. Ricciardi:

After listening to Councilman Hertzberg, I think that he's more on target than my initial request. Yes, I'd still like my initial resolution to stand; however, I would like to add to that that if there is not a public hearing called within a reasonable amount of time that's put forward by Mr. O'Connor, President of Council, that we should have our own public hearing.

Let me add that back in 1984, I believe it was in '84 because I was opposed to the creation of the Pittsburgh Water and Sewer Authority, at that time at least there was a process. There were public hearings on the creation of an authority of a major asset. There was a lot of debate within the City of Pittsburgh. There were town meetings put forward by

Richard Caliguiri. At least it was done the right way with input and ideas that were legitimately debated. Here, and Mr. Udin is bringing up a very good point, if you ask a lot of city and county residents, including myself, we don't even know some of the details. We haven't even been properly briefed.

So, my original resolution will stand; however, with the caveat put forward by Mr. Hertzberg.

Mr. Ferlo:

I think Council should at least agree that we think it's a bad idea or an inappropriate idea at this time, at least to the manner in which it's being done. I hope that's part of the resolution.

I, for one, am opposed to the creation of an authority for any number of reasons and I won't delineate the obvious at this point. I hope somewhere part of our statement is the fact that a majority of this Council is in opposition to the hasty and whimsical creation of an authority without some due process and input by the community.

I'd like to turn the heat up a little bit more. I think there's three areas that this Council should communicate to.

First, and foremost, I think we should file a communication with the US Attorney. I think it's very clear that this is nothing more than dividing up the spoils of government and basically ex-appropriating the resources of municipal government, in this case the county government, for the vested interest of a few. I think that should be a matter that

the US Attorney looks at in relation to the actions of Mr. Dawida and Mr. Cranmer.

I find it interesting that these two Commissioners are so much proponents of the county executive system and the creation of a county council, but does not want to have this action to be something that the county council has some input or some decision making review over.

So, I think it's clear what this is about. Nobody is stupid on Grant Street and certainly nobody is stupid out there in the general public. This is dividing up of spoils, this is paying back through direct (inaudible), monetary gain. Individuals and companies that disproportionately bankrolled Cranmer's election bid and Commissioner Dawida's election bid. That's what this is. It should be reviewed by the US Attorney. I think it should be reviewed by the State Ethics Commission.

I also think that as a municipality I would ask that this amendment include the City of Pittsburgh's intervention legally. I think we should file a formal letter of protest in an attempt to intervene on this matter with the FAA, which at least, at some point has some regulatory review over this issue. I think we should ask for a stay at the level of the FAA until such time that they hear our petition and our plea for opposition in some due process relative to the creation of some authority.

So, let's call it for what it is. We should have all those public agencies involved. But, I would like to see the City of Pittsburgh, the Mayor in particular and our Solicitor, intervene in this matter before the FAA in an attempt to get a stay. Until such time that they can perform some type of regulatory review process. I

would like them to hear from our Congress people in the area a number of whom have spoken in opposition to this. I think they should have from, as Mr. Ricciardi out, the largest municipality.

By the way, nobody flies into the Greater Allegheny County Airport, they fly into Pittsburgh. That's a Pittsburgh airport as far as I'm concerned. As Mr. Ricciardi pointed out, we have disproportionately agreed to pay the debt service burden of higher US airfares more than any other community for the last decade and, probably, for the next decade coming up. So, I'd like to encourage us to explore those other three actions.

Let's be clear what they're doing. The issue is not that there's going to be a transfer of the assets because come January, if Dr. Wecht, which is my hope and prayer that he does because Jim Roddy will be 10 times worse than Commissioners Cranmer and Dawida as far as I'm concerned. He'll give away everything including our Kane Hospitals and our VA Hospitals. But, what's going to happen is they're going to legally indebt this authority. They're not just going to transfer which could be untransferred come January. They're going to quickly go out on a bond issue and create some indebtedness which is going to create the kind of albatross around the neck of this authority so that it can't be undone come January.

The Chair:

What I would request you and Mr. Ricciardi, by next week, is why don't you put all this in a form of a resolution so that we can all vote for it.

Mr. Ferlo:

They should just go on vacation to Poland, wherever they have to go, and just leave county government alone. Get the heck out of here until January and leave it for the next person.

The Chair:

Whether it's a golden parachute or it certainly gives government a blackeye. But, I would like you to put this in a resolution form so that next week we have to decide what we want to do. Maybe we have to hold a public hearing, I'd like you to explore that. Whether you need our legal department to discuss it with us when we file suit. Find out what rights we have as the biggest municipality and the biggest county taxpayers.

Mr. Ricciardi:

I think an appropriate resolution can't be drafted for next week. However, in the mean time and I'm not sure what their agenda is, I believe the Commissioners meet on Thursdays. In the meantime, something could be happening on Thursday. So, we should, at least, ask our City Clerk to draft a letter of our concern on part of this legislative body that they're moving too damn fast on this and they should put the breaks on it until there's more dialogue. I think we could at least send that part of the letter.

The Chair:

I agree with that. I think the protocol is challenging them to have a public hearing as you requested here, to come in front of Council. They'll have their own hearing so that people of

Pittsburgh can, at least, voice their opinion to them. Would you send that today so they would have it on their agenda by Thursday and we would request a response by Friday?

Mr. Ferlo:

I ask respectfully that, at least, this be amended, the amendment that Mr. Ricciardi made. Minimally, we seek to communicate to the FAA our displeasure with the creation in the lack of due process and that we ask the FAA to stay on this action and to conduct some type of regulatory review to allow interested parties, including the Commissioners, and this Council and other interested parties time to communicate to the FAA. So, I think it would be reasonable.

My stuff about the US Attorney and Ethics, I'll do that on my own. But, minimally, we have a formal federal agency that I've been led to believe has to take some action of review and sign off on this. I don't think they should act until they conduct a public hearing here in this region, hear from the congressional delegation, and hear from interested parties.

Mr. Ricciardi:

Mr. O'Connor, that's an excellent idea by Mr. Ferlo. If some sort of approval needs to be given by the FAA, they should know that the largest municipality in Allegheny County has not been properly briefed and there have been no public hearings in this Chamber or throughout the City of Pittsburgh.

If our City Clerk can do that on behalf of this Legislative Body, it's a great idea put forth by Councilman Ferlo.

Mr. Diven:

Yes, in addition to that, I'd just like to make a suggestion. I know that it was pointed out that the two Commissioners that are championing the idea of an authority are going to be leaving office. I think if we hold a public hearing we should also find out what the stance of the two candidates for county executives are going to be for the future of the airport. If we do hold a public hearing, I would encourage that we have it before November 2nd and we extend an invitation to both Mr. Roddy and Dr. Wecht to attend that public hearing and, at least, present what direction they feel the airport should be headed in for their term whoever gets elected.

The Chair:

Also, I feel this Chamber, if it was held for a public hearing, I'm sure the Mayors and the Councilmembers of all the suburban neighborhoods would certainly appreciate it. We would all appreciate their input from Monroeville to Bellevue to wherever and they have had no voice either being smaller organizations. Bringing them all together I think it would really do justice to the process.

Mr. Ricciardi:

I would ask Mr. Onorato to head up that initiative and work with all those municipalities in Allegheny County since he knows all of them.

The Chair:

Let's put that all together so that we're all briefed on what's going on.

Mr. Udin:

New matter.

The Chair:

New subject?

Mr. Udin:

Yes.

A couple of weeks ago colleagues, we were reacting to, at least I was reacting to, some of the media reports on the shooting of the police station in Squirrel Hill. In my comments, I indicated I was voicing concerning that the media was speculating as to who it was and suggesting that it could have been some African American gangs and something like that and I was trying to make the point that it could have been anybody who shot the police station up. I included in my remarks that it could have been a postal worker. Well, I was intending to be in part poking fun at myself since I'm a former postal worker myself, but there were some postal workers who were incensed by my comment and have asked me to publicly remove the postal workers from any kind of remarks like that or stereotypes. I certainly did not intend to insult my colleagues on the postal service. I may wind up there again someday. I apologize to any postal workers and their families who may have been insulted by my remarks.

Thank you.

The Chair:

When we refer to gang members, I don't believe that it should be a black or white issue because there are white gang members. The results found that there was gang graffiti in the car that was stolen that did the shooting. So, I certainly hope if it's gang members or whoever they may be, the cowards that they are, hopefully they're caught soon. What we're going to be talking about tomorrow is how to help and protect our police so that no matter who does these things, I don't want to start naming different organizations, but whoever it is we have to stand behind our police and make sure this never happens again.

Any other issues? I have just one or two.

Construction career, Barb Parees just notified us that this weekend anyone wishing to attend the seminar at the City County Building Friday and Saturday as far as how to get construction jobs, which we've all been working for, there's an opportunity this weekend, Friday and Saturday to come down to the City County Building and make that available to them.

We have a public hearing in one hour, it's Ms. McDonald's concerning TIF's.

I want to congratulate our new Fire Chief, our new BBI Chief and our new Director of Finance who were sworn in a couple of days ago. I'm very pleased to see that the two had very extensive experience in the City of Pittsburgh.

I apologize that I wasn't there and neither was Mr. Diven. We were on 171st

Airborne Refueling Mission so you all could sleep well last week. It was quite exciting. I've lived here all my life and it's amazing to see what is done, what's here in our airport with the reserves and all the equipment and jobs that are a part of that team out there. It was very, very impressive. I know some of your staff members went with us. It was quite an exciting adventure. Also, it showed us how many jobs, 14,000, affiliated with that airbase, not counting all the other reservist that become a part of Pittsburgh. So, we were very proud to be a part of that.

Any other discussions?

Can I have a motion to adjourn?

MR. DIVEN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And, on the motion made by Mr. Diven, the meeting was adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, September 21, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us this morning we have Timothy Rose. He's from the Observatory Hill. He's in the 7th grade at North Side Urban Pathways. His hobby is playing football and he plays for the North Side Saints. He's accompanied by his

grandparents, Edward and Mary Ellen and his dad, Edward.

Timothy Rose:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

We have a special gift for you. Thanks for helping us.

We want to welcome to our country and to our City, Angela Valorteni. Angela, come on up we have a little gift for you and bring your family with you. Angie comes all the way from Australia, 28-hour airplane ride which is the furthest part you can travel. She's actually halfway around the world. She's come a long way to visit us. She's the cousin of Norma and Nina Mascio, you know John's wife. We want to welcome you here. We have a little gift for you from Council.

We have many special guests in the audience today. Mr. Cohen would you like to bring yours up first.

PRESENTATIONS

Mr. Cohen:

You are also involved in this proclamation, Mr. President.

Would the folks from the Zionist Organization of America please come up.

Members of Council and members of the audience, the Zionist Organization of America, the ZOA, is having its banquet on October the 10th. They're honoring three people that evening. One of whom is Jeff Markel and one of whom is Dr. Norman Cohen who is being honored posthumously. His wife Hilda is here this morning and we're very happy to have her here. The third is our very own Bob O'Connor. So, Bob is not only presenting, but he's receiving a proclamation, both today and on October 10th. We also have Judy Greenwald here, who's the Executive Director of the ZOA.

Why don't we do Jeff Markel first? Before I do, let me just say that Jeff Markel is a personal friend and somebody who has really made significant contributions to the City of Pittsburgh as well as to the Jewish Community in Pittsburgh.

MR. COHEN AND ALL COUNCIL MEMBERS PRESENT:

No. 2072 WHEREAS, the Zionist Organization of America is the leading advocacy organization in this country for the State of Israel; and

WHEREAS, the Israel Service Award will be presented to Jeff Markel at the ZOA's 54th Annual Zionist Fund Banquet on October 10, 1999; and

WHEREAS, Jeff Markel, an attorney who spent 17 years with the Pittsburgh law firm of Cohen and Grigsby as a director, officer and shareholder, is founder and president of Perspective

Group, Ltd., a diversified venture and technology advisory firm and also established an affiliate of Perspective Group, Perspective Capital Corp., which is engaged in merchant banking activities; and

WHEREAS, Jeff Markel has taken an active leadership role in several Jewish organizations, and is able to use his expertise in economic development as the Chairman of United Jewish Federation's Partnership 2000, formed in 1995 to build a living bridge to Israel, leading his committee to successfully establish relationships and programming that links the Pittsburgh and Baltimore Jewish communities with the Karmiel/Misgav Region in north central Israel; and

WHEREAS, Jeff Markel has actively worked to better our local Jewish community, by serving on the Board of the Jewish Family and Children's Services, as well as the Board of the United Jewish Federation, serving as Chair of the agency's Human Resources Development Committee and Chair of the agency's Resettlement Committee; and

WHEREAS, Jeff Markel is the husband of Carol Robinson and the proud father of two children, Richard and Leslie.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Jeff Markel for his dedicated years of service to our community and to Israel.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Cohen:

Jeff, please accept this proclamation for all your deeds that are listed here. Can you say a few words for us?

Mr. Markel:

I'm a bit overwhelmed by all the attention. Frankly, I don't quite understand it. My parents gave me sound advice; they said, when somebody offers you a compliment, the best thing you can say is thank you. So, thank you.

Mr. Cohen:

Now, we also have one for our Council President who's being honored by the ZOA the same night. He is receiving actually a very important award, the Natalie E. Novic Community Leadership Award.

MR. COHEN AND ALL COUNCIL MEMBERS PRESENT:

No. 2041 WHEREAS, the Zionist Organization of America is the leading advocacy organization in this country for the State of Israel; and

WHEREAS, the Natalie E. Novick Community Leadership Award will be presented to City Council President Bob O'Connor at the ZOA's 54th Annual Zionist Fund Banquet on October 10, 1999; and

WHEREAS, professionally, Bob O'Connor has risen from the ranks of steelworker at Jones & Laughlin's South Side Works, to Vice President of Pappan's Enterprises/Roy Rodgers Restaurants, to

City Council Member in 1994, and to City Council President in 1998; and

WHEREAS, personally, Bob O'Connor is a well-known community leader, having organized and established the "Be A Sport" program, a city-wide event which distributes used recreational equipment to needy children, coached in the Jewish Community Center/Squirrel Hill Little League for many years, has participated in volunteer tutoring programs for children, has given generously of his time and expertise by serving on the Boards of several major organizations, some of which including the Carnegie Institute, the Pittsburgh Cultural Trust, the La Roche College Board of Regents, the Greenfield Organization, the Jewish Sports Hall of Fame and the Squirrel Urban Coalition, just to name a few; and

WHEREAS, Bob O'Connor has made a valuable contribution to the neighborhoods he represents and the entire City of Pittsburgh; and

WHEREAS, Bob O'Connor is the devoted husband of Judy Levine O'Connor, the proud father of three children, and proud grandfather of two grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks our President, Bob O'Connor, for his dedicated years of service to our community.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

That's why we were so late, I had to twist arms to get the votes for this.

I hope everyone comes out and support the dinner. It's an exciting event and I'm very honored to receive that. I'm sure Mr. Cohen will have some more choice words at the dinner to say in the proclamation.

There is one mistake; I have three children now. We're moving quickly.

Thank you very much for the honor.

I have a proclamation actually for Hilda Cohen, who's the widow of Dr. Norman Cohen. We are going to dedicate the dinner in his honor this year. I must say, I've known Dr. Cohen for many years. He served in Squirrel Hill. Actually, my mother used to go see him on a regular basis. There were no appointments, you just walked in, he saw everyone whether they could pay or not. I think his average fee was anywhere from \$2.00 to \$5.00 a visit. Saturdays, when he had to see his patients in Shadyside Hospital or wherever, he walked. He was still observant. He was a tremendous asset to our community. We just don't have doctors like that anymore, but hopefully we will. A lot of people could really look at his achievements and really look forward to accomplishing what he has or set their goals high.

It's my honor to read this proclamation.

MR. O'CONNOR AND MR. COHEN PRESENTS:

No. 2042 WHEREAS, Dr. Norman Cohen dedicated his life to education, in part, by remaining a student throughout his life; and,

WHEREAS, Dr. Norman Cohen was a board certified internist; he also took medical board exams in geriatrics and studied and tested regularly to remain up-to-date about advances in medical practice; and,

WHEREAS, Dr. Norman Cohen maintained an office in his home in Squirrel Hill where patients could feel comfortable and unafraid, and where he could avoid the formality of a strict appointment schedule while charging single-digit fees; and,

WHEREAS, when Dr. Norman Cohen retired from his practice in 1993, he went back to the University of Pittsburgh, where he had graduated first in his medical class many years earlier, for classes about Jewish History, biblical studies and more; and,

WHEREAS, Dr. Norman Cohen was considered a scholarly, gentle and modest man by his friends and associates; and,

WHEREAS, Dr. Norman Cohen's demeanor endeared him to his fellow congregants at Young Peoples Synagogue and Beth Hamedrash Hagadol-Beth Jacob Congregation; and,

WHEREAS, Dr. Norman Cohen is sorely missed by his wife, Hilda, his

children, his mother, his brother & sister and grandchildren; and,

WHEREAS, the members of the Zionist Organization of America - Pittsburgh District, where Dr. Norman Cohen served on the Board of Directors, have dedicated the 54th Annual American Zionist Fund Banquet on October 10, 1999, to his memory; and,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dr. Norman Cohen posthumously on a stellar medical career, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 21, 1999, "Dr. Norman Cohen Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Hilda, it's quite an honor to present this to you. Do you want to come up and say a few words?

Ms. Cohen:

On behalf of my husband, I thank you.

The Chair:

I'd like Judy Grial to come up and say a few words about the banquet and some of the things the ZOA is involved in.

Ms. Grial:

I'll just take a few minutes. First of all to say on behalf of the Zionist Organization of America, we're very proud to have such wonderful honorees. A personal thank you to Mrs. Cohen for coming out this morning. She's a very low profile kind of lady and we're really delighted to have you come this morning.

The ZOA is one of the oldest Jewish organizations in the country that advocates on behalf of the state of Israel. We have this banquet every year. Hopefully, you'll all come out to honor the folks up here. It's October 10th at 5:30 at the Marriott. We've been in Pittsburgh for over 50 years. I've been the Director for about a year and have really enjoyed the experience. We offer a lot of free programming to the public. We advocate on Capital Hill on behalf of Israel and have a lot of other exciting programs including scholarships for students to go to Israel.

So, thank you very much.

Mr. Cohen:

I have one to be read into the read.

MR. COHEN PRESENTS:

No. 2043 WHEREAS, Israel Bonds is the foremost investment organization in this country for the State of Israel; and

WHEREAS, prominent community leaders Carol and Brian Balk will be

saluted by the New Leadership Division of the Pittsburgh Region Israel Bonds on Wednesday evening, September 22, 1999; and

WHEREAS, Carol Balk, president and owner of Color Me Mine in Squirrel Hill, has served in many leadership positions with the United Jewish Federation, including board member, as well as cabinet member of the Young Adult Division, chair of the Leadership Development Committee, member of the Generational Renaissance Committee, chair of Fundfest 1999, and is currently a board member of the Marketing Committee of the Jewish Education Institute and the Career Development Center of Jewish Family and Children's Services; and

WHEREAS, Brian Balk, president and owner of Alpha Data Communications Inc., is a member of the Squirrel Hill Urban Coalition on its Citizen Patrol and Citizen of the Year Committee, has represented Pittsburgh on the United Jewish Federation National Leadership Cabinet and is a member of the Partnership 2000 Committee, has co-chaired Fundfest with Carol, and is currently serving on the boards of the Holocaust Commission, Western Pennsylvania Historical Society Jewish Archives, Jewish National Fund Young Leadership, and the Jewish Chronicle, and is a participant in Leadership Pittsburgh XVI; and

WHEREAS, in recognition of the Balks' combined volunteer service and support for the State of Israel and Israel Bonds, their friends and family will come together to roast them at 7:00 p.m. on

Wednesday, September 22, 1999, at Congregation Beth Shalom.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Carol and Brian Balk for their dedicated years of service to our community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares September 22, 1999 to be "Carol and Brian Balk Day" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Would Mr. Rose and family and all the supporters of Mr. Rose come forward to receive a resolution?

This is a resolution that was brought to our attention by Assistant Chief Harper. I thought it was for a fellow City of Pittsburgh Police Officer, but it's a county.

I'm going to read the proclamation and step aside because I don't want him to hurt me.

MS. MCDONALD PRESENTS:

No. 2044 WHEREAS, Detective Eddie Rose, of the Allegheny County Sheriffs Office was inducted in the International Martial Arts Hall of Fame as the 1999 Master Instructor of the Year on September 4, 1999 in Orlando Florida by

the World Head Of Family Sokeship Council; and

WHEREAS, this Grandmaster Council is known internationally for being exclusive with the highest standards. This distinguished award will give Master Eddie Rose worldwide recognition in the martial arts community; and

WHEREAS, Master Eddie Rose, martial arts practitioner since the age of 14, is the founder of the ToraHana-Ryu Academy of Self-Defense (formerly the Rose Athletic Club) located in the basement of the Avery Memorial A.M.E. Church; and

WHEREAS, ToraHana-Ryu Academy of Self-Defense is a non-profit organization which provides disciplined Martial Arts training for the youth in the Pittsburgh communities, particularly delinquent and "at risk" youth.

WHEREAS, Master Rose teaches a pragmatic, eclectic system of self-defense incorporating over 27 years of experience in the Martial Arts, with emphasis on character building, social responsibility and philanthropy.

NOW, THEREFORE, BE IT RESOLVED, that the Council in City of Pittsburgh recognizes and commends Master Eddie Rose for achieving the highest height in Martial Arts and for sharing his knowledge and abilities with the youth in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

This is a very distinguished type of achievement in the martial arts. It's right here in Pittsburgh. Oftentimes we come here and we celebrate through our resolutions people in the City of Pittsburgh and Allegheny County who make our City great. With worldwide recognition, again, it is an honor to be able to give you this proclamation.

Without further ado, I would like to ask Mr. Rose, Master Eddie Rose, to come to the microphone. I would like for you first to introduce all the guests that are with you. I have a listing, but I'd rather you do that.

Mr. Rose:

First, I would like to thank my mother, Mary Rose; my father, Edward Rose; my daughter, Christina; my son, Timothy; beside him is Deputy Commander Jim Ricupuro; beside him is Elmer Jackson; directly behind my mother is Mr. John Young; Mr. Marty Prentice and Commander DeLuca.

Well, I tell you, I'm very honored to be honored by the City Council. I'm also very honored to be honored by so many different organizations that are recognizing the martial arts that I do.

The thing that is most important to me is the children. I was one time a child at risk. I was involved with a bad crowd and I got in some serious trouble. As a matter of fact, most people don't know that I was somewhere near the hit line. It was pretty bad.

It was a situation where I had good parents and I had support. Mr. Prentice was a big brother to me when I was 14 or 15 years old in karate class. These are the things that made me go the right way. I had every opportunity to go the negative way, to be a statistic. I could have been in the penitentiary, there's a lot of things that could have happened to me. But, because some people cared and gave me what they had, I'm a detective now, I'm in the Sheriff's office and I'm out there trying to do some positive things. I'm trying to facilitate that not only with the children, but with my fellow officers and some of the people that I have contact with.

So, that's a passion of mine. All these awards and everything that I do, I'm hoping to use those as tools to better the community and to reach some of these kids.

Thank you.

Mr. Udin:

I'd like to ask Councilman Onorato if he would join me. We are co-sponsors of this resolution. I'd like to invite Mr. David Schiller from the Green Neighborhoods Association and Julie Murphy, Assistant Manager of Green Neighborhoods; Kevin McCarton of PHASE and if Josie Caskey is here from Western Pennsylvania Conservancy. If there is anyone else with the organization, please come forward and join us.

Colleagues, this is a really very important effort being made especially as summer starts to fade and as the cool days and cooler nights start to approach. This effort of a coalition of organizations that

have come together to provide weatherization for needy families, especially in the Perrysville South area of the city, which both Councilman Onorato and myself share as representatives on Council, comes at a very timely opportunity.

So, I want to thank everybody involved in this for coming forward. I'd like to read the proclamation, invite Councilman Onorato to give some remarks and, then, invite David Schiller to accept the proclamation and introduce the other guests who are here.

MR. UDIN AND MR. ONORATO PRESENT:

No. 2045 WHEREAS, the Perry South Green Neighborhood Project will involve the entire community in the application of sustainable principles to preserve natural resources for future generations; and

WHEREAS, Equitable Gas, the Howard Heinz Endowment and the Pennsylvania American Water Company have committed both human and financial resources for energy conservation, weatherization and green building techniques in residential and commercial buildings; and

WHEREAS, The Pittsburgh Project, a neighborhood-based Christian community development ministry that seeks to restore the city by developing the local community, rejuvenating its residents and developing leaders for its future has joined in partnership with the Green Neighborhood Initiative to reach out to Perry South residents; and

WHEREAS, the Green Neighborhood Initiative will provide free energy surveys to 200 homes in Perry South, of which 200 homes will receive installation of free energy saving materials and 100 homes will receive weatherization through utility sponsored programs; and

NOW THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh recognizes the contributions and commitment to the residents of Pittsburgh. The City of Pittsburgh proclaims September 21, 1999, Green Neighborhood Development Day as established by The Pittsburgh Project, PHASE, Equitable Gas, the Western Pennsylvania Conservancy, The Pittsburgh History and Landmarks Foundation, and Conservation Consultants, Inc.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Thank you, Councilman Udin.

Let me just thank all the groups involved. I know two of the three fairly well. I dealt with them over the last several years. I want to thank them for never giving up on this neighborhood and this area of the city. It's gone through some tough times but, at the same, it's showing some great signs of rebirth. I just point to, when I go by those murals, I think it's unbelievable at the intersection at Wilson and, I think, it's Burgess and what the kids did there. This is just another project that shows that there's so much that can be done and there's so many

people willing to do it. I know the Pittsburgh project has a long history of activity in the area and PHASE and it goes on and on, the buildings and the youth that you're helping out in that area.

I want to thank you. Anything we can do to help Councilman Udin and I will be more than willing to provide what we can from the city. It's really your organizations that keep this neighborhood alive. I thank you.

Mr. Schiller:

On behalf of all the partners in the Green Neighborhood Initiative, the long list of organizations just read, I'd like to thank Council for this proclamation.

Anybody not familiar with the Green Neighborhood Initiative, we use energy efficiency to help people in low-income neighborhoods. I'd like to personally thank Conservation Consultants, PHASE, Pittsburgh Project, Equitable Gas, Western Pennsylvania Conservancy and History and Landmarks Foundation.

Thank you all very much.

The Chair:

Thank you very much for all your hardwork.

Mr. Ricciardi:

Colleagues, I'd like to ask Lydia Konecky if she could please come forward. Colleagues, as you know, Lydia is our naturalist with the City of Pittsburgh. All of our employees, including Lydia, do such a wonderful job

at Frick Park. As a matter of fact, with one program, my daughter is fortunate enough to have taken part of it during the summer months, which was the camp. She's also in for the miniature camp. I just wish more children throughout the City of Pittsburgh had an opportunity or will, in the future to take part of that.

MR. RICCIARDI PRESENTS:

No. 2046 Whereas, Henry Clay Frick, at the request of his daughter Helen, bequeathed park land to the City of Pittsburgh upon his death in 1919; and,

Whereas, the gift was 151 acres of woodland and a \$2 million dollar trust fund; and,

Whereas, the trustees used the interest from the trust fund to purchase 306 ¼ acres of adjacent land to make Frick Park 457 ¼ acres and the largest park in the City of Pittsburgh; and,

Whereas, the original 150 acres was designated Frick Woods Nature Reserve in 1990 and a State Forest Stewardship Site in 1998; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh recognizes the 80th Anniversary of Frick Woods.

Be it further resolved that Friday, September 24, 1999 will be known as Frick Woods Day in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Lydia, if you could accept this on part of the City of Pittsburgh and also on behalf of Frick Woods. Thank you.

Ms. Konecky:

As the park naturalist for the City of Pittsburgh and on behalf of our entire staff at Frick Environmental Center, I would sincerely like to thank City Council for acknowledging the 80th anniversary of Frick Woods.

I'm also very proud that our City had the foresight to preserve and continues to have the commitment to maintain our beautiful city parks.

Thank you.

The Chair:

We have three to be read into the record.

MR. HERTZBERG PRESENTS:

No. 2047 WHEREAS, on Saturday, September 18, 1999 the West End Branch of the Carnegie Library of Pittsburgh will be celebrating it's 100th Anniversary; and

WHEREAS, in 1889 Andrew Carnegie expressed a desire to have a library built in Temperanceville and the West End Board of Trade took up the cause, lobbying politicians and circulating petitions to have a library built at the corner of Wabash Avenue and Neptune Street; and

WHEREAS, the West End Branch of the Carnegie Library of Pittsburgh was constructed by the architectural firm of Arlen and Harlow, dedicated on January 31, 1899, and has been in continuous use since that date; and

WHEREAS, the West End Branch of the Carnegie Library serves the communities of West End, Elliott and surrounding neighborhoods; and

WHEREAS, shortly after the West End Branch of the Carnegie Library opened, head librarian Charlotte Keith held the first children's storytime in the City of Pittsburgh, and in the early decades of the 20th century the library was a force for the language education of immigrant children whose fathers worked in the mills along Carson Street; and

WHEREAS, today the West End Branch of the Carnegie Library still serves the children and adults of the community with its 19,000 books, periodicals, audio visual materials and ten public access computers; and

WHEREAS, the West End Branch of the Carnegie Library contains storybook panels painted by Theodore Hamiel in 1959, two quilts created by neighborhood youngsters, a Wall of Pride multicultural mural created by local teens and a slide show of old photographs that preserve the history of the neighborhoods it serves; and

WHEREAS, festivities commemorating the 100th Anniversary of the West End Branch of the Carnegie Library begin at 1:00 P. M. on Saturday, September 18, 1999 with the dedication of the Pittsburgh Foundation Multicultural

Arts Initiative project done by neighborhood children, the annual West End-Elliott Citizens Council Fall Festival, local Girl Scouts dressed in Victorian straw hats at a lemonade stand, and musical entertainment by local musical groups, with all in attendance invited to dress in Victorian costume.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the West End Branch of the Carnegie Library on its 100 years of service to the community and declares Saturday, September 18 1999 "West End Library Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND MR. COHEN PRESENT:

No. 2048 WHEREAS, Rabbi Yisorel Rosenfeld has been selected to receive the 1999 Doris and Leonard H. Rudolph Jewish Communal Professional Award at the United Jewish Federation Annual Meeting on Wednesday, September 15, 1999; and,

WHEREAS, as Dean of Yeshiva Schools for the last twenty-one years, Rabbi Rosenfeld has been a driving force behind its development and growth into a school noted for its academic excellence; and,

WHEREAS, with Rabbi Rosenfeld at its helm, the Yeshiva School was

bestowed with the 1999 Blue Ribbon School by the United States Department of Education, which is the most prestigious award in the country distinguishing Yeshiva Schools for its excellence in leadership, teaching curriculum, student achievement, parent involvement and community support; and,

WHEREAS, in addition to Rabbi Rosenfeld's position as Dean of Yeshiva Schools, he is the spiritual leader of Lubavitch Center Synagogue who is highly esteemed amongst his colleagues in the Chabad-Lubavitch movement and serves as a member of the Executive Committee of the Central Committee of Chabad-Lubavitch Rabbis in the United States and Canada; and,

WHEREAS, Rabbi Rosenfeld is a graduate of the Rabbinical College of America and continues his education and received his rabbinical ordination from Central Yeshiva.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Rabbi Yisroel Rosenfeld on receiving this most esteemed honor, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish Rabbi Yisroel Rosenfeld continued success and furthermore, declares Wednesday, September 15, 1999, "Rabbi Yisroel Rosenfeld Day" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. FERLO seconded the motion.
Which motion prevailed.

**MR. COHEN AND MR. O'CONNOR
PRESENT:**

No. 2049 WHEREAS, the Emanuel Spector Memorial Award is given by the United Jewish Federation for outstanding leadership and commitment to the Pittsburgh Jewish Community at the Annual Meeting on Wednesday, September 15, 1999; and,

WHEREAS, the Emanuel Spector Memorial Award is the highest honor presented by the United Jewish Federation for an individual's communal service contribution; and,

WHEREAS, Frieda Shapira has been chosen to receive the 1999 Emanuel Spector Memorial Award from the United Jewish Federation; and,

WHEREAS, Frieda Shapira has played a significant role as a community leader for more than 50 years through volunteer work that has touched numerous social, health, educational and cultural organizations and institutions; and,

WHEREAS, Frieda Shapira has served the United Jewish Federation board for numerous terms, having played a key role with the Community Relations Committee; and,

WHEREAS, Frieda Shapira has received many awards for years of volunteer service including the Florence Reizenstein Award for Advancement of Human Rights and Dignity, Distinguished Daughter of Pennsylvania, Leadership Award in Community Service from the YWCA of Greater Pittsburgh and the Human Relations Award from the American Jewish Committee; and,

WHEREAS, Frieda Shapira is also a past member of the Temple Sinai, Montifiore Hospital and Jewish National Fund boards, as well as being the past Chair of the American Jewish Committee and Past President of the National Council of Jewish Women.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Frieda Shapira on receiving this most esteemed honor, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish Frieda Shapira ongoing success in her charity work and furthermore, declares Wednesday, September 15, 1999, "Frieda Shapira Day" in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

We will now move to public comments. Anyone wishing to address Council has three minutes. Will you please give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

As I have said plenty of times before, but I wanted to make sure I told Mr. Rose who I am. I am an advocate for Children, Youth and Families. I have children and grandchildren that attend the Pittsburgh Public School system.

Something that's really disturbing me is I go sometimes and I speak before the Commissioners, they say a prayer before they start their services. I come here and each and every time I come here in Council, before the meeting we are started with the pledge of allegiance to the flag. My heart is heavy while I repeat from memory the allegiance and when I come to and justice for all I look at each and every one of you with your hands over your heart. I wonder do you truly believe or do you try to do what you pledge to do or are you reciting or do you really mean it because I can't see it, what you do for justice for all.

Just this summer when you had last year said that the children could go to swimming free, then you dug it up and then you changed it and the children had to pay. I don't think you realize what you did. I do when I saw the children in the neighborhoods, plenty of them, standing outside of the swimming pools, which I told you that would happen. But, you can give \$400,000.00 for a cement road to Washington, DC because some people wanted to ride their bikes. When these people came for the trails, you give more money for that.

Last week, I was so upset with Ms. McDonald I have to bring it up again, the

way that you did Mrs. Urquhart. To bring in a paper that the URA had wrote about her, but you never contacted her. You didn't call her into the office and say, do you have any qualms or is there something wrong. Then, when you got finished you said that it was fact.

Many people in the neighborhood are talking about you Valerie and the rest of you. The rest of you should hang your heads in shame that you treat the children in such a way.

Mr. Rose, when I listened to him, just like he explained, he, himself, has been in danger of being a delinquent, of being a prisoner and of being in jail. But, he fights for the children. I'm so glad that I heard him. You gave him an award but, yet, you won't even help our children in the neighborhood; you will not respect our elders; you don't respect me.

I am tired and if there's anyone in the audience, please come down and you possibly can speak to them. Maybe you can move their hearts because they seem to be kind of hard against me. If I bring up any kind of administration action, like for the open hearing about a security guard who took one of our students up in a vacant room, in a storage room not even a classroom, took him out of his class, I brought that and I brought other things that are happening and you will not have the open hearing.

Thank you very much.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart. I reside at 5811 Penn

Circle North. My P.O. Box is 5491, Pittsburgh, PA 15206.

I give my P.O. Box because I would like to hear from the people who are out there and have been needing help. A lot of my mail has been stopped. I'll just say most of my mail. I don't know what's happening. I have to get the federal government or someone in on it. I stopped receiving a lot of my letters. People wrote me, but I didn't receive my letters.

I was not given a grant for my house, which I am paying now, it went up, \$561.00 a month. I'm tired of paying \$561.00 a month and being cold. The cold weather is setting in fast now. So, you can imagine how I'm feeling now going nine years through this, living through it. I was not given any grants. I have paid out of my own pocket, hard earned money.

Like Jeremiah the prophet, I am not liked. But, because I believe in the creator, I believe in speaking and fighting for truth and justice.

I put a package together, which I gave each and everyone of the Council people. It had pictures in it and it had also the proof of what the URA paid out, my money, for work that was not done. This is each and everyone of your package.

Yet, Ms. McDonald read off where I received all of this here, like the URA said I got the money, I didn't. Then they said in there that I turned back people from my meeting. I'm trying to fight like everything to get people out there to my house and I would not turn down any meeting.

HUD was the one which I thought I would need a third party, so I had HUD to come every time there was to be a meeting. So, HUD, Mr. Sumptor, down with HUD, Tom Sumptor, he was the one which I would call every time there was to be a meeting. So, there was nothing underhanded. Yet, there's a lot of lies that the URA have written down and sent for facts. But, they were not facts, they were a bunch of lies.

All I ask is to have somebody to thoroughly investigate. I asked for Ms. McDonald to come by my house and see it and to read my papers before reading those facts. So, I asked Ms. McDonald would she read the letter in which I have sent her, to read it out in public the same as she read those lies out. I'm living in this and this is miserable. I'm spending out too much money for something every month that I do not have.

The Chair:

Thank you.

Anyone else wishing to address Council?

We will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 2050 Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing

"Building Maintenance" line item by \$13,928.00.

No. 2051 Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction and the Director of the Department of Public Works to abandon the Plank Street (formerly Bridge Street) Bridge located between Independence Street and Wabash Street in the West End, 20th Ward of the City of Pittsburgh.

No. 2052 Resolution providing for a Contract or Contracts, or use of existing Contracts for the installation of banners at Mellon Square; at a cost not to exceed \$13,928.00.

No. 2053 Resolution providing for a Contract or Contracts, or use of existing Contracts for the construction of a concession stand at Fort Pitt field; providing for the purchase of materials and supplies for said project; at a cost not to exceed \$39,000.00. —(SPONSORED BY MR. FERLO)

No. 2054 Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by creating a new line item entitled "Concession Stands." — (SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Engineering & Construction.

MR. HERTZBERG PRESENTED:

No. 2055 Resolution granting unto Donatelli's Italian Foods, Inc., 4711 Liberty Avenue Pittsburgh, Pennsylvania 15224, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk at 4711 Liberty Avenue in the 8th Ward, 7th Council District of the City of Pittsburgh.

No. 2056 Resolution granting unto D'Elia Wittkofski / Double Eagle Corporation, One Market Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a roof canopy over a portion of Market Street between Fort Pitt Blvd. and First Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 2057 Resolution granting unto Pittsburgh Cultural Trust, 125 Seventh Street, Suite 500, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, trees with metal grates on a portion of the sidewalk area of 635 Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works, Water & Environmental Services.

MR. ONORATO PRESENTED:

No. 2058 Resolution amending Resolution No. 637, approved July 27, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "D".

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 2059 Resolution providing for the issuance of a \$14,591.22 warrant in favor of Edward Wlodkowski, 2837 Sumner Street, Pittsburgh, PA 15203 for reimbursement of costs incurred from a private lawsuit resulting from an encroachment authorized by the City of Pittsburgh July 31, 1996. —
(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the Agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 2060 Resolution authorizing the transfer of the amount of Two Hundred Thousand Dollars (\$200,000.00) to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget year 1999 from the Special Summer Food Service program Trust Fund in the Department of Parks and Recreation, Account 581140, Fund 2855, Organization 521220, Subclass 600, Budget year 1999.

No. 2061 Resolution authorizing the transfer of the amount of Forty Thousand Dollars (\$40,000.00) to Premium Pay, Account 516000, Fund 1000, Organization 510000, Subclass 020, Budget year 1999 from Salaries, Regular Employees, Account 511000, Fund 1000, Organization 510000, Subclass 010, Budget year 1999. All in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance and Budget.

No. 2062 Resolution authorizing the issuance of a warrant in favor of the Carnegie Library of Pittsburgh in an amount not to exceed Five Thousand Four Hundred Eighty Seven Dollars and Fifty Eight Cents (\$5,487.58) in payment for utility costs for the Sheraden Senior Citizen Center, for the benefit of the City without previous authority of law, and providing for the payment thereof.

No. 2063 Resolution further amending Resolution No. 216, effective 4-20-99, as amended by Resolution No. 387, effective 6-18-99 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$90,500.00 chargeable to and payable from Account 593100, Fund 1000, Organization 500000, Subclass 300, Year 1999 in the Department of Parks and Recreation." by increasing the Korean War Veteran's Memorial by \$2,000.00 from \$2,500.00 to \$4,500.00.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy.

The Chair:

Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ferlo:

Thank you, Mr. President.

I want to thank the Administration and Jeff Horan, specifically, in the Department of General Services, for bringing some closure and making a lot of progress finally, after a long time, unfortunately, with the bus shelter initiative that's been in the works for the last couple of years. Thanks to Jeff Horan and the staff that works with him of pulling together the final request for proposal, a formal competitive bid will be released by the Administration, I believe, today or tomorrow.

There will be a pre-bidder's qualifying conference to better explain the bill of particulars for the bus shelter initiative so that there's a fair level of playing field for all potential bidders. There are two large billboard companies locally housed in or around the City of Pittsburgh. Obviously, they are very much interested in this activity and have a strong track record, Gateway specifically and Martin Media, formally Chancellor and now known as Lamar Industries. As well, I'm sure they'll be many other bidders.

I just want to thank Jeff Horan in particular for pulling this all together and getting it finally out in a formal bid package.

Thank you.

The Chair:

Any other unfinished business to come in front of Council?

Hearing none, we'll move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2064:

Report of the Committee on Finance and Budget for September 15, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2040:

Resolution directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport to the Allegheny County Airport Authority preceding or following the County Commissioners' final vote to transfer assets. (As amended) (SPONSORED BY MR. HERTZBERG, MR. RICCIARDI, MR. DIVEN AND MR. FERLO)

Which was read.

Also,

Bill No. 1983:

Resolution authorizing the transfer of One Hundred Fifty Nine Thousand Dollars (\$159,000) from the Bureau of Police to the Bureau of Emergency Medical Services, Department of Public Safety.

Which was read.

Also,

Bill No. 1984:

Resolution authorizing the transfer of Eight Thousand Dollars (\$8,000) from the Bureau of Police to the Bureau of Emergency Medical Services, Department of Public Safety.

Which was read.

Also,

Bill No. 1986:

Resolution providing for the issuance of the following warrants: Treasurer, City of Pittsburgh in the amount of \$1,807.78 and Commonwealth of Pennsylvania in the amount of \$15,502.87, for an aggregate amount of \$17,310.65, in payment of the retainage held and Extra Work performed on the Contract with Spadafora Corporation in connection with the construction of EMS Station No. 6; and providing for the payment of the cost thereof. Funds for these warrants are available in Account 600000, Fund 5100, Org. 303000, SubClass PGHPR, Project/Grant 2227002, Budget Year 1996.

Which was read.

Also,

Bill No. 1987:

Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$92,319.27 in payment of a PUC ruling that awarded the City a 30% share of relocation costs incurred by Duquesne Light Company in conjunction with the City's rehabilitation of the Columbus Avenue Bridge; and providing for the payment of the cost thereof. Funds for this warrant are available in Account 600000, Fund 5100, Org. 301000, SubClass PGHPR, Project/Grant 2236000, Budget Year 1996.

Which was read.

Also,

Bill No. 1988:

Resolution providing for the issuance of a warrant in favor of the U.S. Nuclear Regulatory Commission, License Fee and Accounts Receivable Branch, in the amount of \$1,700.00 in payment of the Annual Materials Fee Invoice; and providing for the payment of the cost thereof. Funds for this warrant are available in Account 525500, Fund 5100, Org. 301000, SubClass PGHPR, Project/Grant 2250002, Budget Year 1999.

Which was read.

Also,

Bill No. 2012:

Resolution authorizing the City of Pittsburgh to enter into a professional services contract with the Pennsylvania Economy League, Inc. for the purpose of preparing the 2000-2003 revenue forecast and providing required follow-up for the City of Pittsburgh. At a cost not to exceed \$20,000.00, chargeable to and payable from Implement Competitive Pittsburgh, Fund 1000, Org. 999200, SubClass 150, Account 526100, Budget Year 1999.

Which was read.

Also,

Bill No. 2033:

Resolution providing for an allotment of vacation days to certain employees affected by Ordinance 13 of 1998. **—(SPONSORED BY MR. O'CONNOR & MR. FERLO)**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Thank you.

Bill No. 2040 is the resolution directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport to the new Allegheny County Airport Authority.

We passed this last Wednesday and since that time we've heard, I guess,

through the news media that the Mayor does not agree with this resolution. That does have an impact on us, I believe, and I'd be happy to hear from the rest of Council, at least those that supported the resolution. What I think that does to our Solicitor is that puts her into a position of having a conflict of interest. On the one hand you have Council pushing her to seek and injunction and on the other hand you have the Mayor who's position is, I don't want to do this.

So, I think we, then, have to make a decision to seek outside counsel, another attorney, to represent us in seeking this injunction. I am firmly committed to doing that and I hope the rest of Council is to seeking outside counsel.

What you've done, Mr. President, I appreciate it, you scheduled an Executive Session for tomorrow morning at 8:45 when we can discuss the issue of litigation and going about hiring outside Council. That being said, I don't know whether we even want to move forward with this today or not, I don't know that it really matters. We can have a final vote on this, but it's probably going to be more symbolic than meaningful until we determine where we're going to go with the issue of an attorney to represent us.

Mr. Ferlo:

I think we should move ahead with the resolution today, notwithstanding the fact that Mayor Murphy has specifically said that he does not support this action. I don't know that the Mayor has specifically clarified, from a policy point of view, what his own view is on the whole Airport Authority and its creation of it. I don't know if he addressed that. But, we should

just clarify the roles here at the functions and also prerogatives in who speaks for the City of Pittsburgh as a cooperation.

The Mayor can be opposed to this action and that's his right and that's his prerogative. I hope at some point he will actually address substantively why he supports the creation of an authority or why he supports not intervening in playing this strident advocacy role of being in opposition, that's his prerogative.

When it comes to the City intervening, legally, we're speaking as the City. It is the prerogative of this City Council by way of ordinances and resolutions to pass or to dictate a policy of the City. That's our prerogative and I don't think there should be anything unclear about that.

So, if we pass this resolution today, the Solicitor representing this cooperation, the City of Pittsburgh, is obligated to respond to the wishes of the majority of Council assuming we overrode with veto this resolution, if that's what the Mayor were to do.

Now, certainly the Solicitor, individually as an attorney and also in her expertise as the Solicitor, has the right to an opinion independently. To the extent that she feels that this lawsuit would not be productive or that she has an ethical conflict in pursuing it or for whatever reason that she's commented on, she has the right at that point. And it's happened many times in the past, to engage outside legal counsel to represent the cooperation, the City. That's really how this thing should flow.

The notion is one of the propaganda administers from the Murphy Administration was quoted the other day that says we don't have a right to have an attorney, let's clarify that, explicitly clear. It has been done many times in the past since the creation of the Home Rule Charter that City Council legally under the Charter has the right to its own legal counsel if it so chooses. In fact, we don't even need a resolution.

If we meet in an Executive Session to engage in legal action and there's six folks here that want to pay a warrant by whatever amount we agree to and for whatever purpose, the ballgame is over. So, the Home Rule Charter is clear that this Council has a right to independent legal authority in services. The framers of our Home Rule Charter saw situations where there's going to be differences between the Legislative agenda and the Administration agenda.

So, whether we go with this resolution, whether the Mayor is for or against, whether the Solicitor wants to or doesn't want to are to me all mute points. It really comes down to what does the super majority of this Council want to do. I will just reiterate my support for some of the intervention, whether it be legally if we can find a legal basis in which to intervene in whatever appropriate court of law, I think we should do that.

I independently reiterate my concern about a congressional delegation, Congressman Coyne, in particular, Mr. Klink, Mr. Doyle, I think they should be prevailing upon the FAA as a federal agency to intervene in this matter if to do nothing more than to establish the series of public hearings. And, somehow in that

due process so vested parties and interested parties can express themselves involving this whole sale slaughter of the public asset of the airport.

I won't reiterate all the issues that were raised in the past. But, I would, in addition to the legal action, reiterate my concern that whether it be Mr. Lucchino as the County Controller or whether it be the FAA at the federal level, these folks should be acting accordingly to re-establish some due process.

I would also ask Mr. President, I know you've been supportive of this as Council has requested that a formal public hearing be held to keep the pressure and keep the issue out in the public's eyes.

Thank you.

The Chair:

In response to that, we have set a public hearing on this issue for next Wednesday, September 29th at 2:00 p.m. in this Chamber. Also, I've received requests, correspondence, with our legislators in Harrisburg who would like to have across the county hearings whether they be here or elsewhere. So, there is mounting pressure to, at least, bring the public into this.

Mr. Ferlo:

I know that we already have a motion on the floor but later on I would hope that we would cable cast that public hearing appropriately.

Mr. Cohen:

I voted against this resolution last Wednesday and I'll be doing the same today. The reason is that the management or control of the airport is not a city issue. City Council, in my view, has no authority over this issue and, therefore, we are really outside of our authority in terms of passing this resolution.

Councilman Ferlo mentioned that he didn't understand why the Mayor was for the Airport Authority. I don't know if that's true or not. My vote, however, is not a vote for the Airport Authority or against it. We just don't have legal authority over this issue. We've gotten no information, either written or oral information, in terms of a post agenda or a public hearing or any means of getting information to be able to make an informed decision on this issue. So, I don't want my vote to be misinterpreted. It's not for the port authority, it is just against a resolution which tries to have some impact on an Airport Authority that we have no legal authority over.

Just in case there are people who are confused here. The county has legal authority over a number of issues, over property taxes, over health and human services, over transporting prisoners, and many other kinds of things that the county does. The city, on the other hand, has other functions. We have police, fire and paramedic service functions here in the City of Pittsburgh. We certainly have control over paving city streets, over maintaining our parks and many others that we talk about everyday. There are also some functions that we have combined authority over. For example, economic development, we work on that together with the county, city and county together. But, the airport is not one of

them. The airport is strictly a county function. I think we are out of bounds here in pushing forward this resolution.

Ms. McDonald:

I would hope that Councilman Hertzberg would be able to hold this. I'm not prepared to vote on this today.

I agree that there has not been adequate public input. I'm very leery about it, jobs are on the line. I'm very shameless about that in terms of the jobs. People need jobs, these are regular -- they think of these jobs and they talk about patronage, that's a smoke screen. There are real faces, they are real people, they are real families behind these people with these jobs out at the airport. There are people that need the jobs, no different than anybody else.

Personally, I feel that I don't care what regime comes in as far as the majority political party in the county government, it's all going to be the same thing. I get so tired of him, we're going to do things differently, yeah right. Things have not been done differently. It's going to be the same ole, same ole. But, these people here at the airport are real working people, there are faces behind them. I'm tired of the politics and the pardonson rhetoric being thrown in front of them.

Personally, I don't like the idea of an authority. I feel that there needs to be hands on control. I believe that our next county controller, Dan Onorato, needs to have more hands on as to what goes on to make sure that things are being done properly.

I would ask that we, at least, get the input out of common courtesy to the chairman of that authority, that's Glen Mahone. To have him come forward and meet with Councilmembers. He's a democrat, he's a democrat and he's also about doing the right thing by people. He knows that there are faces behind those positions. He knows there are faces no matter where we go with this authority, whether we have it or whether we don't. So, out of courtesy to him as well the Solicitor, you can even have a county solicitor, to come talk to us.

I've asked to see the composition of that authority, the board. I want to know who's on there, when are their terms up. I need more information to make an informed decision about this.

Personally, I have no problem with the spirit of what Councilman Hertzberg is bringing to the table in terms of, hey, guys, hold up, let's be careful what we're doing. Let's be careful that it's not politically motivated. Let's not be politically motivated with this and let's do the right thing. So, I agree with the spirit, but I just want to have additional dialogue and information so that I can make an informed decision.

The Chair:

If I can follow-up on that, I think that's the importance of a public hearing. Anyone that Council wishes to have invited we should have everyone invited. I'd be curious about the terms, if they can be removed like a member of the RAD board was removed because he didn't vote the way they wanted him to vote, whether you agree or disagree with the vote. These are some of the questions I have. On most

of the boards, they can be removed at will. Why would this be so solid that no one can remove them if it's so. So, there's a lot of questions I think the public should know about this board and why would it be different than a RAD board or any other board.

Mr. Ricciardi:

I agree wholeheartedly with some of the statements that have been put forward by Mr. Ferlo. That is that if a majority of Councilmembers decide on a plan of action, it is both legal and it needs to be followed through by the Solicitor's Office. For example, if one looks at the City Charter, you would see that it states in the City Charter that the city solicitor works both for the Mayor, the Administration, and for the Legislative Body, Pittsburgh City Council. If, for some odd reason, that the Solicitor feels either uncomfortable or unwilling to support our action, I think we have to deal with that in another matter.

Let me also state that at the very beginning of this I've always stated that my position was in one of support or opposition to the Airport Authority. However, I had believed that without being properly briefed as a municipal official and without input from the public, how could I support something? So, naturally, my first reaction should be, and is, let's hold off and see exactly what the idea is.

Let me say I was very saddened to hear the comments from County Commissioner Bob Cranmer last week however. He had stated that those in opposition of the Airport Authority were those that were wanting to keep and

protect patronage at the airport. How ironic because patronage at the airport the last few years was by the rolling commissioners, Commissioners Cranmer and Dawida himself.

As a matter of fact, if you look back several weeks ago, a gentleman on Commissioner Cranmer's staff was appointed to a job at the airport. The job was never advertised, there were no interviews for the job. But, Cranmer took his gentleman, I believe his name is Art Victor, put him at the airport for some obscene high salary without an interviewing process. So, Mr. Cranmer comes and says, I am against and I want to stop patronage at the Airport Authority. And in the same breath, talks about good government, but at the same breath he takes this person, puts him out there both to protect his livelihood and to give him an obscene salary and for patronage itself. So, then, one must question what else are they trying to do. They're trying to appoint or protect patronage through their own political appointments to the board themselves.

The next reasonable question to ask is, are they also looking for preferential treatment for vendors and contractors, the professional service contracts, it's something else we have to ask. Then we look at US Air saying, we support the authority. So, one has to ask if US Air is supporting the authority, they have to have their own special interest involved because they're a business.

Then you look at the high airfare rates. You look at a number of people in the City of Pittsburgh in Allegheny County including Mayor Tom Murphy who drives to Cleveland to take an airplane elsewhere. Then, you're wondering US Air do they

want an authority, why? Maybe to protect their high, outrageous airfares from Greater Pittsburgh International Airport. Then you have others -- and I'm starting to see, it's starting to become a group of individuals that are getting together.

One thing I must say is if you look at the politics of it, you have a county executive, who's name is Cyril Wecht, who's saying we should have a public hearing on this, we should have input, and we should have a reasonable amount of time to think about it. Then you have Jim Roddy, who by the way chaired Cranmer's unsuccessful bid for even consideration for an executive, saying I think it's a good idea. So, it's interesting when you take an air flight out of the City of Pittsburgh and you pay that high, outrageous airfare, maybe I would tell people because I hear that people aren't interested in the City of Pittsburgh, Allegheny County about an authority, I disagree with that if they knew some of the facts. Next time they pay that outrageous airfare, maybe they should think of Bob Cranmer, Jim Roddy, and US Air. All three are not supporting public hearings and all three are saying move forward.

So, that's the problem I have. That's the reason I'm supporting Mr. Hertzberg's initiative. If we're not properly briefed -- I disagree respectfully with our colleague to my right, Mr. Cohen. If we're not properly briefed as municipal officials, I think that is wrong, that is sad. We have a stake in this. The stake that we have is that it's our airport also and it's Penn Hill's airport also. We've all pitched in good money to pay for this airport. I understand Mr. Cohen's very articulate opposition to this, but I think we do have standing.

So, I'm going to support this today. I'm very disappointed if I can say publicly with Ms. McDonald's decision, now, not to back it. I didn't understand in her argument why she's switching from yes to no because Ms. McDonald you say politics. That's what this is, this is bad politics moving ahead with this authority without public hearings, without briefing municipal officials, with little information going down to the constituents and to the taxpayers.

Then we have Cranmer who says he's against patronage, but he's doing it himself. Now, I hear other commissioners are looking around for positions at the airport for theirs. Meanwhile, we had a great individual out there, Mr. Mosley, and he worked for Ms. McDonald. He's losing his job; he's getting fired. So, I think we have to move forward.

I'm very disappointed, though, with Mayor Tom Murphy's position. His position is that he doesn't think that we should become involved in this issue. We have to look at this as a region and as a regional issue. I think the Airport Authority needs to be looked at as a regional type of issue.

Mr. Udin:

First of all, I want to attempt to make a distinction between jurisdiction and interest. This is really not a jurisdictional battle. I think the issue of jurisdiction is really a diversion from what the real issue is. The real issue is that we represent one-third of the population in Allegheny County many of whom utilize the airport and have a tremendous stake in the success of the airport and would have a

tremendous stake in the failure of the airport. So, although we do not have legal jurisdiction, which no one has claimed that we have, we do have significant standing on behalf of the people of Pittsburgh.

Secondly, the issue, as I said last week, is not a question of the authority versus no authority. We are attempting here to block the wholesale of transfer of the assets of the airport to this authority.

When you look around the country, there are many airports that are successfully managed by authorities. But, those authorities were created as a result of significant public deliberation and there is significant oversight, especially by someone like the Controller. One of the criticisms of the particular structure of this authority is that it eliminates the oversight of the Controller. I think that's a very significant and important ingredient in the design of the Airport Authority structure if there was going to be one. So, it must have full public disclosure and debate and consideration as opposed to some lame duck shenanigans on the part of the commissioners as they are on their way out of the door.

The stakes here are much too high to run the airport in that manner. It is absolutely necessary that those who represent a significant portion of the residents of this county step forward.

I would like to have the comments that I made last week concerning the tremendous contributions of Mr. Glen Mahone, the Chairman of the Airport Authority, brought forward for the record. I certainly would welcome an invitation to Mr. Mahone or any members of the authority to address Council and the public

or for the commissioners to address Council and the public. We've asked the commissioners to come to Council to put the issues before Council as they see them, Members of Council. Not as a question of jurisdiction, but as a question of us representing one-third of Allegheny County. But they have no interest in the public dialogue that must occur around the establishment of this authority. Therefore, I'm glad to lend my support to this bill.

(See Addendum for comments.)

The Chair:

I want to make it clear that I spoke with some of the members of this authority. We have not named or criticized any of them personally, it has nothing to do with personally any of the members. It's about exactly what you and other members have been saying.

Mr. Onorato:

I just want to, again, reiterate some of my points of view from last week. I'm going to come at this from a different angle again. Because, one, obviously, I am in the middle of a race where it can appear that I'm just arguing for self interest here in an office that I'm running for.

I don't want to talk about the Controller's Office at this point. I want to talk about what was discussed today and why I think the Airport Authority should be put on hold.

A couple of things, Councilman Ferlo brought up a point and I want to make it very clear. I agree with him, the Home Rule Charter is as clear as can be. The Solicitor is both the Solicitor for the

Mayor and the Solicitor for City Council. My comments today have nothing to do with that debate. She, that's Jackie Morrow, is the solicitor for City Council. If the majority of Council direct her to do something as our Solicitor, she is required to do that. If we were in the middle of a conformation hearing of a Solicitor and I asked the question would you act on a majority of Council if the Mayor told you no and the answer from a nominee was, no I would not act, I would vote no on a nominee because the Home Rule Charter is clear and that would be a violation of the Charter. So, I want to point that out.

I also want to point out though I am not prepared to go to the next step and fund an outside counsel, at least today I'm not to prepared to do that. However, directing our Solicitor to do something that's on our payroll and gets paid and is not an additional cost to the City, I would be willing to consider.

Two, the issue that Councilman Cohen brings up and he brings up a very good point, that is purely a county function. He's right, it's purely a county function. However, City Council has set the precedent. I think with my first year on Council when the Port Authority there was a strike going on and it was crippling the City of Pittsburgh and our residents. Technically, that is purely a county function, but we stepped up and we got involved and the Mayor got involved at the time and it went directly to the Supreme Court of Pennsylvania and the strike was settled because it had an impact on our residents. Once again, it was purely a county authority.

So, the issue of should we get involved. Legally, we could argue over

standing, but that's not the point. The point is if we believe it's effecting the people we're representing and we pay taxes, I believe we have a right to get involved in any form we want to, at least if the majority of Council decides.

The other issue I want to talk about and this is the part that I don't understand why it's not being picked up in the media. That is, forget the debate is an Airport Authority good or bad or if you're for it or against it. I know the majority of the members that have been appointed. I will tell you they're great people and I would trust them to be on an authority. I like the individuals and I've dealt with the individuals for years. That's not the point.

As of today, we have an election in six weeks, six weeks. These commissioners have been there for four years. Why do we have to rush a vote on an authority when you're going to have a new form of government elected in six weeks? I would think that it's prudent for anyone out there whether you're for or against an authority to allow us to wait six weeks, you have a candidate again, one for it and one against it. You're going to have a new county council. Let them debate it. Let's wait the six weeks, let the voters of Allegheny County have their say and, then, let the new county government deal with the issue.

The other part of this, which I find appalling, if I'm not mistaken this is a seven member board, the Airport Authority. The terms are staggered. Regardless of who wins the exec race, the winner will not be able to get control of the board during their first term in office. So, the representatives that the people put in office will not even have the authority

to control the Airport Authority, these are the voters. We live in a democracy, the majority rules.

You're going to have a situation where the majority can rule in six weeks and that person we select will not have the ability to control this authority during their first term because you need four votes out of seven and they're staggered terms, you're not going to get control. To me, that part is appalling for anyone who believes in our democratic system. It doesn't mean you're pro-authority or anti-authority.

Why don't the commissioners say we're going to vote for an authority and we're going to leave all the positions empty and let the new county executive pick the board members? I'll support that. Why do we have to have these terms locked in before that election? That's the question the media should be asking. They won't ask that question and I don't know why. To me, it just boggles my mind that this is being rammed through when you have an election sitting right in front of us and the taxpayers can make this decision. Let the new elected official pick the members of the board or decide not to have a board. But, to lock it in so that that decision cannot be made is not right, it's not fair, and it's not the rules that we play by in a democratic society.

That's why I think that the creation of the authority now is wrong, not the concept of an authority, but the creation. I think the individuals are great, but the timing is wrong.

I would like to see out of this particular bill if it's possible from the majority of us, could even hold it for a

week because I know there's an Executive Session scheduled for tomorrow so we can talk with our attorneys. I have no problem doing that. I would support a hold to go into an Executive Session because this is going to be a legal issue and to really look at the legal ramifications of this bill.

But, I wanted to explain my view on all this. It's not for or against an authority, but I think the timing of it really stinks.

The Chair:

In response, if we would recommit, we are meeting with the attorneys. I have the Executive Session to discuss the issue of what ability we have for a lawsuit or whether Jacqueline Morrow should be suing on our behalf and where do we go from here. Tomorrow morning we would have, I think, a better vote on it.

Mr. Ferlo:

The hasty and undemocratic actions of Mr. Dawida and Mr. Cranmer I can only describe them as not only braising but bestial. You're basically looking at a pack of dogs devouring up the public spoils. That's really what this is about.

As Councilman Onorato pointed out, I think it's completely outrageous that a lame duck administration that was overwhelmingly defeated and has no vote of confidence gets to, basically, in two months time divide up the public assets of the city and the county. I think that is outrageous. I think everybody should be speaking out expressly in opposition to, not only the creation of the authority, but the transfer of the assets.

The fact that these folks were all in favor of creating the county council, yet now want to make sure this county council has no practical input in key decisions. Now, I don't know if this authority was created under a separate statute of state legislature or if it was done under the general municipalities authority act, like some of our authorities.

But, at least, if you're going to create an authority, go through due process and allow this new legislative council, if not the new county executive, to have some input on what the design and what the preamble, what the responsibilities, and what the charter of this authority is going to look like including its board representatives. Many large authorities, where it's clear that the city has a large vested interest such as Alcosan, has city representation as appointed by the Mayor. Why can't this county authority, if we decide in the end that the authority is the best way to manage the operations of the airport and/or the development at the airport, why can't that authority board be representative of various interest groups including the private sector? I don't know if that's the case now. It certainly doesn't appear to be the case given the composition presently of the board.

But, the individual who, to me, historically has had the most impact, in fact, if it wasn't for this gentleman, as far as I'm concerned, we wouldn't have a million dollar modern airport, and that's the former Chairman of the Board Tom Foerster. These people are dividing up the spoils that this gentleman worked on for 24 years of his life. I can tell you right now that I've spoken to the chairman and I've heard him speak at public meetings.

He is very opposed to the creation of the authority and to the transfer of the assets. Yet, here's a gentleman who's most likely going to be a key player on this new county council. If I were the taxpayers and the public, I would want to know that Mr. Foerster and other people that are now to be elected as a legislative council at the county level would have some input into all these decisions including issues of oversight and the role of the county controller. Those are not issues, maybe right now that we're debating, but certainly if we had a county council in place and they decided an authority is the way to go, they could conduct a series of public hearings, they could help decide what the statute looks like which creates the authority, how do people come off the authority, how do they get on the authority, and what's their terms. There are so many issues that should be part of a public input process.

I think it's reprehensible that the editorial boards and all these folks who are out there pounding the pavement in support of county home rule, now want to take away one of the key issues and decisions that that county council needs to be involved in.

We should call it for what it is and that's what it is it's braising and bestial. It's dividing up the public assets and the spoils of government in this lame duck administration. I think it's completely outrageous. I think we have every right to intervene legally and use any means necessary.

Ms. McDonald:

Once again, if the issue is forced in a vote, I will abstain. I do believe that

we're talking about in the 11th hour the commissioners are making a decision. But, I have myself to blame and, I think, colleagues you'll understand we have ourselves to blame, we're also in the 11th hour. This authority has been talked about for quite some time now. We're late in the process. If we really wanted a public hearing and we really were that impassioned about it, we should have done something about it sooner, too. So, we're in the 11th hour.

Again, maybe I'm being defensive but I really don't appreciate any criticism about why are you abstaining, why are you bailing out? I'm not bailing out, we had time to discuss this before. Why are we discussing it now? Don't blame me for not being adequately informed.

If I'm forced to make a decision, I don't have enough information. I agree with the spirit of it, I don't like the idea of an authority board. If someone had asked me months ago, what do you think? I don't like it. But, if I would have known that this Council Body was that impassioned about it, that impassioned, then maybe we should have discussed enacting some type of public hearing process before, before.

I applaud Councilman Hertzberg and I've been very supportive of a lot of this legislation and I'm supportive of the spirit. But, the fact is is that the legislation reads that the City Solicitor is directed to immediately take any and all actions necessary to obtain an injunction prohibiting the transfer of the Pittsburgh International Airport... proceeding or following the county commissioner's final vote to transfer assets.

My dilemma is not in the spirit of this, my dilemma is being about to seek the funds, the legal funds, to pursue it, whether it's going to work, whether we're just taking a philosophical stand, how much is this going to cost? Again, I would appreciate holding it so that we can, at least, intelligently discuss the legal fees, the ramifications, what are the odds, let's look at the board membership, let's make an informed decision. If there is adequate information, then bring it back. Bring it back Wednesday at the Standing Committee, we can waive Council rules and vote on this. Right now, I have nothing to go on, I have nothing except politics to go on. That's all. I just wish that we could wait.

But, I will respect Councilman Hertzberg and what he wants to do with this. Again, I applaud him for the spirit of it and saying, hey guys, let's hold on this may be more than a notion. But, I think we have ourselves to blame for not pursuing it a little sooner.

Mr. Hertzberg:

Mr. President, I was considering recommitment, but I'm not going to do that after listening to some of the remarks, particularly those about the City Solicitor. It seems to me that a majority of this Council feels that the Solicitor has the duty to follow this resolution regardless of the Mayor's position. I think that may be technically true, but I think the reality of it is something completely different. I think the reality of it is the Mayor appoints the Solicitor and I don't think we want a Solicitor that's not going to be 100 percent for us.

But the reality of it amongst Council seems to be that they don't view this as two interconnected issues, they're two separate issues. The only issue before us now is not so much what the Solicitor wants to do or not, it's whether we want to move ahead and see what we can do to obtain an injunction. I'm 100 percent in support of doing that. So, I am not going to recommit this bill. I think we need to send the message out that we're dead serious, that we believe in what we said, and that we are very concerned with the direction of this Airport Authority is heading in.

So, I'm all for moving ahead with the vote now. In fact, I'd ask the Stenographer to bring my comments forward from last Wednesday.

(See Addendum for comments.)

The Chair:

We're now ready for final vote. The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

(Mr. Cohen voted no on Bill 2040; Ms. McDonald abstained on Bill 2040)

The Chair:

I must also comment that everywhere I go on the street, everyone has thanked me and Council for taking this stand.

Mr. Onorato:

Mr. President, I have this one clarification, too, in case it was confusing in the debate. What we did today, for the public, is we directed our Solicitor to take action. We did not spend money for an outside counsel, it was just our Solicitor, according to the Home Rule Charter, to take action.

Mr. Hertzberg:

And, we'll discuss that tomorrow at the Executive Session.

Mr. Ferlo:

Mr. President, on your point about the fact that there are many out there in the community who have an opinion on this issue and many are in opposition of what's being done by Mr. Cranmer, Mr. Roddy and Mr. Dawida or whoever. I would ask that if there are organizations out there that have a direct relationship or some involvement or some input or some concern and they are of an organizational nature, that they communicate to you as Council President. I think it would be great if consumers that are represented by various organizations who are concerned about airfares or activities at the airport

communicate to you. If there are organizations out there that have a concern and a vested interest, directly or indirectly, I would ask that they communicate to you. It's possible that some of these organizations may want to file a friend of the court brief on this whole issue of our intervention.

So, I would ask that if there are other organizations out there, Mr. Ricciardi spoke eloquently about the US Air and rate payers and fare payers who are concerned about ever rising cost. To the extent that there are groups out there, I would ask that they please communicate to you on behalf of all our colleagues regarding their support for this legal action.

The Chair:

Again, just for the record, next Wednesday, the 29th, we will hold a public hearing. So, I would urge anyone or any group who have a vested interest in this or wants to speak, whether it be for or against, should come to Council. We will televise it.

MR. FERLO moved to cable cast the public hearing on Wednesday, September 29th.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Udin:

This began primarily as a county focused issue, but it has generated an additional city charter issue. I take seriously the question as to whether or not

the City Solicitor is required by the Charter to follow the instructions of Council when the majority of us direct the Solicitor to act in our behalf. I do not believe that the Mayor has the authority to direct her to do otherwise when Council directs the Solicitor to follow some action. I think in this process we need to clarify what Council's role is, what the Mayor's role is, and what the Solicitor's role is. If the Solicitor is going to be the Mayor's Solicitor, then Council may need to consider hiring a permanent solicitor. I do believe that that is necessary at this point, but I do believe we have to clarify that issue for the future.

The Chair:

I'd like to have that clarified by tomorrow morning, too. I believe we should have that in writing from our Solicitor.

Mr. Ferlo:

I don't know that we need that in writing from our solicitor, in all due respect to our solicitor, I think it's very clear. This legislatively body speaks for the cooperation, ultimately, by formal action of this body. It's all spelled out. The Mayor has the right to veto this resolution tomorrow or at anytime he receives it and we have the right to override it. At that point, it's incumbent, if not legally obligated, for the Solicitor to represent this cooperation having had the legislative body enact a formal legal action.

There's a practical issue that we spoke about. That is, I don't think we want to have a lawyer representing us who's not interested in pursuing the case. That's been dealt with in the past

including times when the solicitor may have had an ethical issue about whether or not he or she felt competent or qualified to raise the issue in the court of law. At that point, the obvious happened, outside legal counsel action was engaged.

To Mr. Udin, I think it's clear that the solicitor is obligated to represent the cooperation and this Council ultimately sets policy for this cooperation.

The Chair:

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2065:

Report of the Committee on Public Works, Water and Environmental Services, for September 15, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2005:

Amending the Rules of Council, Rule IX (a)(2), Committee on Public Works, Water and Environmental Services, and Rule X (a)(2) by deleting references to Water and Sewer. (SPONSORED BY MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bill?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will be vote.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 2066:

Report of the Committee on Planning, Zoning and Land Use for September 15, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2009:

Resolution providing for an

agreement or agreements with a consultant or consultants, and/or for the purchase of equipment or supplies, and/or for administrative costs related to the implementation of the "Youth Initiative Program," at a cost not to exceed \$247,500. Funds are available in Account 526100, Fund 2610, SubClass C1995, Org. 110000, Project 2261500, Budget Year 1997.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bills are now ready for final action. All those in favor of the passage of the bill will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 2067:

Report of the Committee on Parks, Recreation and Youth Policy for September 15, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1926:

Designating the Chartiers Nature Conservancy to plan, build and maintain the Chartiers Creek Trail. **(SPONSORED BY MR. HERTZBERG)**

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bill is now ready for final action. All those in favor of the passage of the bill will vote aye when their names are called. All those opposed will vote no.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2068:

Report of the Committee on Public Safety Services for September 15, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1985:

Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements to upgrade the 800 MHZ radio system for the Emergency Operations Center at a cost not to exceed \$95,000.00, chargeable to and payable from DATF Trust Fund, Fund 2423, Org. 213000, SubClass 600, Account 544900, Budget Year 1999.

Which was read.

Also,

Bill No. 2032:

Resolution authorizing and directing various departments to take the appropriate action to have certain security devices installed at police stations within the City of Pittsburgh. To cause the establishment of the Police Security Task Force to conduct a comprehensive review of security measures at police stations and other government facilities and to develop a comprehensive plan of action to insure

the safety of police officers. To insure that effective countermeasures to domestic terrorism are identified and implemented. To seek funds in support of capital improvements to police stations. —
(SPONSORED BY MR. O'CONNOR & MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Diven:

Mr. President, first of all I'd like to commend you for the work that you did with the police zones. I'd also like to have my comments brought forward regarding our District Attorney, Mr. Steven Zappala.

Once again, I'd just like to reiterate our appreciation for his stepping forward and providing, not only the money to make the immediate changes to Zone 6, but also for his increase in the reward for information leading to the arrest of the people that committed such a cowardly act.

I think Mr. Zappala, in every dealing that I've had with him has demonstrated himself to be, both a component and able district attorney, but somebody's who not willing to just settle for just prosecuting crimes after they happen. I think he's been very proactive and I think this is just another shining example of his willingness to get in there and prevent crime and make things better for the law enforcement community and for the community at large. I'd like to

thank him personally for his stepping to the plate and being a part of providing a solution.

(See Addendum for comments.)

The Chair:

I'd just like to echo that and thank you for co-sponsoring that bill. I also want to thank all Members of Council. I think it really showed the support of our police officers when they were in danger and the support everyone showed them.

I want to, again, thank the DA for he's a very proactive DA. But, also we want to thank our chief and of all our city detectives. Those two were apprehended over the weekend. It was good police work in cooperation with other county police organizations, especially Wilkinsburg, that's where they were caught. It shows that when working together that it didn't take long. I want to commend all those involved for bringing these people to a speedy arrest. We're urging them to throw the book at these two to send a strong message so that anyone else will think twice before they attempt to do anything to anyone, but especially our police officers or their places of work.

The bills are now ready for final action. All those in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Hertzberg
Mr. McDonald Mr. Onorato
Mr. Ricciardi Mr. O'Connor
 (Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 2069:

Report of the Committee on Engineering and Construction for September 15, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1989:

Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing Lower Saw Mill Run Channel Project by \$5,000.00 (\$2,500 City and \$2,500 S-EMA) and decreasing Traffic Signal Maintenance by \$2,500.00.

Which was read.

Also,

Bill No. 1990:

Resolution Further amending Resolution No. 1018, effective January 1, 1997, as amended, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program; and approving the 1997 through 2002 Capital Improvement Program," by increasing "Park Reconstruction-E&C" by \$28,445.00 from \$600,000.00 to \$628,445.00.

Which was read.

Also,

Bill No. 1991:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring a total of \$218,344.49 from Fort Pitt Boulevard to various line items.

Which was read.

Also,

Bill No. 1992:

Resolution Further amending Resolution No. 520, effective August 15, 1997, as amended by Resolution No. 24, effective February 13, 1998, entitled "Providing for a Project Cooperation Agreement with the U.S. Army Corps of Engineers to acquire right-of-way, design and construct the Lower Saw Mill Run Flood Protection Improvements and to commit the City's share of \$3.525 million," by increasing the total project

allocation by \$2,525,000.00 from \$1,000,000.00 to \$3,525,000.00.

Which was read.

Also,

Bill No. 1993:

Resolution providing for a cooperation agreement with the Pennsylvania Department of Environmental Protection relative to the installation of 60 linear feet of grouted R-5 riprap along a tributary to Saw Mill Run. The Department of Environmental Protection will undertake the performance of the aforementioned work at no cost, providing the City supplies all services, supplies, easements and rights of way for the project.

Which was read.

Also,

Bill No. 1994:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the renovation of Carnegie Library Branches for disability accessibility and for the purchase of equipment, materials and supplies for said projects; at a cost not to exceed \$225,000.00, chargeable to and payable from Account 600000, Fund 2610, Org 301000, Sub-Class C1999, Project/Grant 2221444, Budget Year 1999.

Which was read.

Also,

Bill No. 1995:

Resolution amending Resolution No. 169, effective April 1, 1999, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements for the Renovations to the City-County Building and for the purchase of equipment and supplies for said projects; and providing for the payment of the costs thereof," by increasing the total project allocation by \$97,952.00 from \$180,000.00 to \$277,952.00.

Which was read.

Also,

Bill No. 1996:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the Installation of the Computerized Traffic-Responsive Traffic Control System in the Central Business District; in the amount of \$358,933.04. Funds are available from two accounts: \$345,000 from Account 6000, Project/Grant 2231003, Budget Year 1997; \$13,933.04 from Account 6000, Project Grant 2231003, Budget Year 1996.

Which was read.

Also,

Bill No. 1997:

Resolution providing for a Contract or Contracts, or use of existing Contracts for Street Tree Planting at Various Locations; at cost not to exceed

\$77,700.00. Funds are available from two accounts: \$27,700 from Fund 5100, Subclass PghPR. Account 6000, Budget Year 1999; \$50,000 from Fund 2610, SubClass C1999, Account 6000, Budget Year 1999.

Which was read.

Also,

Bill No. 1998:

Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the construction of the Municipal Courts Facility; at a cost not to exceed \$129,654.98, chargeable to and payable from Account 6000, Fund 5100, Org. 301000, SubClass PghPR, Project/Grant 2261002, Budget Year 1996.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato

Mr. Ricciardi

Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

(Mr. Ferlo voted no on Bill 1998)

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

Moving to motions and resolutions, the Chair presents two appointments.

The first one does not need our approval, just read and received.

No. 2070 Resolution authorizing the appointment of Eric Dickerson as a Member of the Housing Authority of the City of Pittsburgh, for a term to expire September 30, 2000.

MR. FERLO moved to receive and file.

MR. DIVEN seconded the motion.

Which motion prevailed.

Also,

No. 2071 Resolution authorizing the appointment of Ada Blackman as a Member of the Housing Authority of the City of Pittsburgh, term to expire September 30, 2000.

MR. FERLO moved to interview the nominee.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

We will ask Ada Blackman to appear in front of Council next week.

Is there anything else under motions and resolutions?

Mr. Ferlo:

Very briefly, Mr. President, I wanted to thank Director Parees and her staff and probably a lot of other community representatives that worked hard. I think a lot of Councilmembers have been in and out of the building Friday and Saturday this past week only to see a job fair where a number of building trade unions representatives. I think there were 23 building trade representatives that were assisting in the taking of apprenticeship applications. It's the beginning of a longer process, but I was very pleased with the attendance. Every time I was in and out of the building over the two days there seemed to be lots of people and a very diverse crowd and very representative of the City and people who I think need an opportunity. I think they had over 3,000 applications. I believe over 60 percent were City of Pittsburgh residents or folks in the immediate county area that are looking for a career change or for new opportunities for quality work. I thought it was great and I just want to thank the staff. I know they worked hard. I think the outreach was good. There may be a need, obviously, to keep doing this at other levels of the community. The City County Building is kind of a hub for the whole region in the city. It's a well-known building downtown, at least all the buses end up downtown if folks don't have transportation.

I just want to thank Director Parees and her staff. I thought they did an excellent job. The Mayor, himself, I think did a lot of outreach. I think it was shown in the great participation by so many different people looking for employment. So, I just want to say thank you.

The second issue, Mr. President, this coming Wednesday I'm following up with the Neighborhoods 2000 Initiative regarding citizen budget, campaign and folks at the individual level in their community, at the community level organizationally, having more direct input into the city budget process.

The first meeting was attended by over 125 folks from all over the city. It was a great meeting. Unfortunately, it was somewhat frustrating because it was a lengthy meeting where many people got up and wanted to vent a lot of their frustrations with this Administration and their perception of things being inadequate at the neighborhood level, be it roads and bridges and steps and police protection, you name it. But, it was a productive meeting nonetheless. I think it created a better focus for the meeting that will happen this coming Wednesday night. So, the second meeting of the Neighborhoods 2000 will be this Wednesday night here in Council Chambers at 6:00 p.m.

I wanted to ask my colleagues to please participate and maybe help share some of the workshops that will be conducted that evening. The agenda for this meeting, rather than having an at large meeting, we will immediately breakdown into working sessions. We thought maybe the best way to direct some focus and meaningful input into the budget process is to specifically have working groups look

at operating budgets, whether it be BBI's or Public Works or Parks and Recreation.

So, the goal is Wednesday night will not be an at large public hearing with a litany of complaints and concerns, albeit those are important. Rather we wanted to get people actually focusing in and working at a small group level to better understand the operating budget, each one of its components and, specifically, those areas that are most in need of neighborhood input in terms of services and activities at the neighborhood level.

This meeting is a little bit heightened in its focus now given the pronouncement of the Administration about a \$10 million dollar pot of money that has just all of a sudden materialized. So, actually part of the theme Wednesday night is the Mayor's \$10 million dollars fact or fiction.

I just want to go on the record as saying I'm a little bit upset with the Administration in the manner in which they conducted themselves in the community and also with this Council since this press release and press conference of over a week ago. I resent the fact that key staff people from the Administration, some of whom I don't think I've never even met, are meeting with key community leaders, at least in my council district, without my involvement and basically telling them to create a wish list or to think big for this \$10 million dollars. I think that's irresponsible. We should strengthen out the numbers here right now.

First of all, for the last two years, in the '98 and '99 capital budget, this Council and the Administration hopes to

expend \$35 million dollars in each year, '98 and '99. The Administration has already told this Council, although it's not clear to the public, that this next year 2000 and 2001 capital budgets has been reduced to \$25 million dollars each year. Now, I'm not a rocket scientist, but basic math would suggest that there's a \$10 million dollar reduction in the overall capital expenditure as proposed by the Murphy Administration going into the year 2000 and 2001.

Since we already have a cut of \$10 million from the \$35 million the past year and \$10 million in the subsequent year of 2001, I would suggest that that's a cut. Now for groups to get this notion that all of a sudden there's this \$10 million that's going to magically reappear from the fund balance and it's going to be for activities above and beyond the core of things that we need to do like asphalt and steps and cleaning the streets and all the allocations that we make in the capital budget, it's a cruel hoax really. It's not fair to community groups.

I applaud the Administration for saying we want to put some more resources into the neighborhood, I applaud that and I appreciate it as well as I think this Council and the community. But, let's be clear and honest with the numbers and let's not go out there and try to whip up community groups into thinking that all of a sudden they have all these resources to spend. Let's, at some point, explain what the budget dilemma is in this city.

I realize the Administration wants to seek public office again and that's great. They have a strong track record of development and other activities. They should be proud of their track record. I've

been critical and certainly I am critical of this Administration in neighborhood services and mismanagement of key departments like Parks in the past, Public Works currently and in the past. Those are mayoral issues, but those are issues that will be fought later on.

The jest now come with major reductions in the capital and flashing this \$10 million dollar check around and not having any logical thinking with Council and the public about how these moneys need to be earmarked, it's just not fair. It's not fair and it's going to turn out to be counterproductive. Now the Mayor, apparently, is going to have these town meetings. He's going to have one in my district, I think November 3rd at Arsenal School for all of the council districts. What's the point of the meeting. I can tell you right now what the -- I don't need to have a town meeting. I'm a legislative, I'm a community activist, I know what's needed. I get pounded everyday, rightfully. We know what's needed. I know what's needed in Morningside and Garfield. In any of the neighborhoods, every one of us can go down and talk about what we know the priorities are. Why do I have to engage in this town meeting hoax of an illusionary \$10 million when they already cut the capital budget and you're frustrating people and not directing them in a meaningful way.

So, I'm very upset about what's going to unfold. I think it's going to turn out to be counterproductive. To date, unless I'm wrong, I don't think the Mayor has communicated to the Council President of this Council even though we asked for some input on this process. So, we're going to have several hundred screaming people at each one of these

neighborhood sites looking and wishing for things that we know are just not going to get done.

They should have done it a different way and, certainly, that's going to be part of the focus financially on Wednesday night's Neighborhood 2000 meeting.

So, I would ask my colleagues and/or their staff to please participate and I invite the Administration. If the Mayor would like to come and speak Wednesday night, we look forward to his presentation. If he would like to send key staff people from the different departments, we'd like their input. I think it's important that community organizations know the limitation of our resources, what we can do and what we can't do and if we want to do more, we have to look at changing the revenue picture or cutting services or doing something. The Mayor makes that point well. So, I invite his participation and the staff to be involved in these workshops so that people understand both the opportunities and the limitations of the city's operating budget.

Thank you, Mr. President.

The Chair:

We would invite Director McLean to give an overview. I will ask Councilman Udin next Wednesday to give an overview where he sees the operating budget going and where we see, the facts you just brought up, if they are true facts, hard numbers, where we're going with the capital budget.

Mr. Ferlo:

I would ask as a postscript to the Wednesday night meeting and even before as a postscript to everybody's comments last week about the \$10 million. I think the Administration should, at least, make a public commitment that the \$10 million is truly above and beyond the prior capital budget commitment. So, we should go back and maintain a \$35 million dollar expenditure in the capital for the year 2000-2001.

Then, for the Administration to say we're going to take \$10 million that is truly new money. Or there's got to be a clear delineation by the Administration that big-ticket items are going to be taken out of the overall capital budget and a clear commitment is going to be made for neighborhood redevelopment. So, for instance, instead of spending \$7 million on the hot metal bridge, that's going to be gone or no longer expended and that \$7 million is going to go truly back into neighborhood agenda building whether it's asphalt or step repair or condemnation of houses or lot clean-up.

The Administration is not going to be getting over on this Council or the public on this issue. So let's just be adult about it and let's give true and accurate numbers and a true and accurate picture of what's happening financially and administratively.

The Chair:

Again, hopefully, it's not political -

Mr. Ferlo:

Please don't tell neighborhood groups to think big and fill their highs with delusions of grander.

The Chair:

Well, it's perfect timing. Even if we don't have a preview, we will have a budget process starting within six weeks.

Mr. Ricciardi:

Colleagues, publicly I would like to thank and commend several city employees, Mr. David Balcer, Tom Mills, Jerry Cavalovitch and a host of Public Works laborers who corrected a bad situation in my district regarding some signs and some tickets that should not have been given. They were able to intervene without any inconvenience to the taxpayers. So, I would like to thank those individuals.

Ms. McDonald:

On a separate issue, I just wanted to commend the committee members and people who organized the Ebony Patterson Homewood/Brushton 5K Walk.

It was an overwhelming success. I appreciate all the support that is out there. You may have seen my mug on there, but believe me the people who really made that happen are people as such, Phyllis and Floyd Jones and Coach George Webb. They're the coaches and staff members of Westinghouse High School and they deserve full credit. The t-shirts and all the organizational amenities that were supplied there, that was all them as well as Rev. Raymond Glaze. Kelly Laye is a Senior Class President. I want to give her her kudos here in Council as well as her mom, Ava Dupree-Laye. Brenda Waters was there. Lester Young, the Principal, he was there. He was instrumental in getting

things going as well as Lance Carter. I didn't say on the day of the walk, I didn't give recognition to Dwayne Ashley, our Director of Parks and Recreation. Dwayne is the one who helped me chart this course that made people bead up as they were coming up the hill. We said it was going to be somewhat challenging and you would get some exercise and they did get some exercise. So, I want to thank Dwayne publicly for helping in all that he could to facilitate this 5K walk.

We're going to have a meeting within a week or two to see what we want to do possibly even next year. But, it's wonderful to be able to have such an event in your own community and to have people from outside. The Greensburg Central Catholic High School football team all those guys were there. All the football players walked in front. We're just hoping that next year that they'll be there again and that will get other schools to join and that we celebrate each other's communities that way.

Again, my hats off to all the volunteers and my staff. I dragged them there at 7:00 in the morning to register people.

The Chair:

Just a few notes. We did receive correspondence at our request concerning the Penguin amusement tax. They are current and following the delinquent tax years for the agreement we had with the bankruptcy court. There was a request also concerning the ballplayer tax. There has been a special account set up. There's new taxing forms. Of the 47 teams that we play, 35 have formally registered. The ones that we believe are short are the

hockey teams who really were finishing their season. We have collected \$26,000.00 from 5 teams. It looks like we still have 30 teams that still owe money.

Mr. Ferlo:

That figure, Mr. President, is retroactive back to January 1. It should be a much higher figure than what's being recorded. I hope that there's a targeted investigator who whoever does this work in finance and revenue, I hope there's somebody specifically working on that issue.

The Chair:

They have appointed somebody working on it at cash management and working with the Public Auditorium Authority. We will request updates. Like you said, it's until January so they have to go after all of the teams and all of the ballplayers.

All Councilmembers thank Mr. Costa for sending us an update as of September 15th regarding what roads have been paved, streets and what is still on the schedule. So, you all should have an update on that. Please review it in case they missed some or need more.

We have a post agenda at the request of Councilman Hertzberg this afternoon at 2:00 discussing public intoxication; that will be at 2:00 p.m.

Tomorrow reminding you that we have an Executive Session at 9:00 concerning the Allegheny County Airport Authority.

Mr. Hertzberg:

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, September 28, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

We have many special guests in the audience today. Councilman Diven, would you please bring yours up first.

PRESENTATIONS

Mr. Diven:

At this time, I would like to call up the members of the Pittsburgh Fire Bureau and the representatives from the Mercy Health Foundation and Bell Atlantic to receive the proclamation for Fire Prevention Week here in the City of Pittsburgh.

We actually have three different proclamations to be read into the record today. So, I'll ask everyone to kind of bear with us. We do have a great group of people here that are working on some important work. With that, I'll start with the first proclamation.

MR. DIVEN PRESENTS:

No. 2073 WHEREAS, most people underestimate the speed and power of fire and the time it takes to escape and;

WHEREAS, people may not be aware that smoke and poisonous gases are the leading cause of deaths in fires and;

WHEREAS, knowing how to escape safely if fire does break out is essential and;

WHEREAS, the Fire Bureau is joined by other concerned citizens as well

as businesses and schools in their fire safety efforts and;

WHEREAS, it is especially appropriate this week to recognize the value and accomplishments of Pittsburgh Firefighters, especially those whose work supports educational programs, inspection programs and other preventive measures.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the City's Firefighters and encourages the citizens of Pittsburgh to participate in fire prevention activities at home, work and school and to heed the message, "Fire Drills-The Great Escape".

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of October 3 through October 9, 1999 to be "Fire Prevention Week" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

These other two proclamations are to acknowledge the partnership with the Pittsburgh Firefighters by Bell Atlantic and also the Mercy Foundation. I'll read the second one which acknowledges Bell Atlantic's participation.

MR. DIVEN PRESENTS:

No. 2074 WHEREAS, Bell-Atlantic has supported the City of

Pittsburgh Bureau of Fire in their efforts to educate the citizens of Pittsburgh about fire prevention and;

WHEREAS, Bell-Atlantic provided the Mercy Foundation with a grant to help purchase the Hazard House, an educational tool that is used to teach fire prevention and safety and;

WHEREAS, Bell-Atlantic continues to be an effective partner, along with the Mercy Foundation and the City of Pittsburgh Bureau of Fire, in educating the citizens of Pittsburgh regarding fire safety and prevention.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Bell-Atlantic for its involvement with the Bureau of Fire and the Mercy Foundation and thanks them for their assistance in educating the citizens of Pittsburgh on fire safety and prevention.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

The third and final one recognizes the great work with the Mercy Foundation as being a partner in this program.

MR. DIVEN PRESENTS:

No. 2075 WHEREAS, the Mercy Foundation has supported the City of Pittsburgh Bureau of Fire in their efforts to educate the citizens of Pittsburgh about fire prevention and;

WHEREAS, the Mercy Foundation donated the robotic fire truck to the City of Pittsburgh Fire Bureau for use in their fire education programming and;

WHEREAS, the Mercy Foundation has sponsored a fireworks education program in order to better inform the public of the danger of fireworks and preventing unnecessary harm to our children and;

WHEREAS, the Mercy Foundation assisted the City of Pittsburgh in acquiring the Hazard House, another educational tool used to teach fire prevention.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Mercy Foundation for its invaluable assistance to the City of Pittsburgh's Bureau of Fire and thanks them for their interest in educating the citizens of Pittsburgh on fire prevention.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Diven:

With that, I'd like to call up Chief Micheli and ask him to introduce the guests and talk a little bit about the program. We appreciate all of your great work, Chief, and all the members of the Fire Bureau and the partners in both Bell Atlantic and the Mercy Foundation for something that really goes a long way throughout the year. It's a great honor for

the City of Pittsburgh to take this week and recognize your efforts all year long for actually doing a great world of services to the City of Pittsburgh in reducing the number of fires and reducing the number of lives lost each year as a result of having people better prepared and smarter in case of times of emergency.

So, with that I'll call up Chief Micheli and present him with proclamation and ask him to introduce the guests.

Mr. Micheli:

Good morning, we're going to do it a little different here for Fire Prevention Week this year. It's not me, it's these gentlemen and ladies here that are very pro-active and they're the ones that make it all work. The citizens that are behind us from Mercy and Bell Telephone, the organizations, they're the ones that help us make it work because with the limits of our budget, we could never do it.

You have in front of you, as we do every year, a small booklet that shows all the smoke detectors that have been installed in your district, every one where the smoke detector has been a contributing factor in getting out people before the fire got a head way. This week here we just had two more examples of that, one a sprinkler in a major business downtown put the fire out right away. We never laid a line. The other one where a smoke detector went off and got the family out again.

While I am talking just an idea of what we're doing, one of our personnel is going to pass a picture that you can pass down. What it is is a draft that

dramatically shows a six inch water line in a major downtown building that we found and how it was clogged. Nothing speaks like a picture.

This tool here is fantastic. It was donated to us by the Mercy Foundation we work with them a lot and Bell Atlantic. We will demonstrate this to you, the head of our Fire Prevention, Captain Cunningham, who does all these programs and sets them all up.

First, I'd like to introduce Dr. Jones, he's the head of the Mercy Trauma Unit and Dr. Varcelotti, he's the Assistant Director of the Mercy Trauma Unit; Sally Harden that is the Director of the Mercy Foundation; and Russell Kemerer, he's the Assistant Vice President of Bell; Gwen Moorer, which is a Manager of Bell. I'd like each one of them to say a word about their involvement with the City. I can't say enough about how much we appreciate what they do. After that, I'd just like to have Captain Cunningham to come up and show you this tool and how it makes smoke and how it shocks people.

Thank you.

Dr. Jones:

Thank you, Chief Micheli. I'm Dr. Larry Jones. I'm the Director of Trauma Services in the Burn Center at Mercy Hospital.

The money for the Hazard House and many of the other projects that we team with the Bureau of Fire on every year comes from funds that we've raised through the Head of the Ohio. This year marks the 13th event of the Heading of the Ohio Rowing Regatta.

This is a career race that we hold every year in Clemente Park. It has become over the years the second largest event of its kind in the United States. It's truly an international event. This year we will feature the U.S. and Canadian National Olympic teams both the men and women teams. The event will be held on Saturday, October 2nd. We would invite all of you to come. The event not only celebrates life in Pittsburgh and its wonderful resources it has in it's river, but it is also the only event of its kind that exist for the benefit of a charitable institution, that specifically is the Burn Center at Mercy Hospital.

The Burn Center at Mercy Hospital relies on this event every year to help raise funds for the benefit of our patients. The Burn Unit at Mercy Hospital, to remind everyone, is indeed the first burn unit in the City of Pittsburgh, only the 15th actual burn unit of its kind in the United States and was also the first burn unit established West of the Allegheny Mountains. Every year we treat 300 burn patients, many of them children and, unfortunately, many of the children are victims of house fires and/or child abuse.

Mr. O'Connor I'd like to present to you and City Council one of the official posters of this years Head of the Ohio, 1999.

The Chair:

Thank you very much.

Ms. Harden:

As Dr. Jones mentioned, the money that we bring from the Head of the

Ohio is what makes things like Hazard House and Freddy the Fire Truck possible. But, it is through the help of generous sponsors like Bell Atlantic that makes that possible also, as well as, people like those in this room who might come down and buy tee-shirts on Saturday or a couple of the interesting things that happen down on the banks of the Allegheny, the beautiful banks of the Allegheny.

But, we thank you for having us here today. We hope that you will come out and support the races that support things like Hazard House.

Thank you.

Mr. Varcelotti:

I want to echo the words that Dr. Jones and Ms. Harden has said.

I want to thank you very much for all the help that you have been giving us through the years through this event. Again, this is a great city and there's nothing better than a great event at this time of this year.

Thank you.

Mr. Kemerer:

On behalf of Bell Atlantic and its employees here in Pittsburgh, we appreciate the recognition you are giving us today.

Bell Atlantic's (inaudible) crosses the community from arts and culture to economic development and certainly health and human services are part of that program. As a parent and a person with a senior citizen in this community, I can't

think of anything much more important than home safety. So, we're very pleased to be part of this.

Thank you for the recognition.

Mr. Cunningham:

Now, we're going to give you a quick tour of the Hazard House. With me I have two of my assistants, Fire Fighter Albert Tucker and Fire Fighter Lou Shalinen (Phonetic). Since we put it in service back in February, we've done 58 programs and we've talked to over 1,625 children and teachers. Tomorrow we'll be out in the schools all day showing this House.

Mr. Tucker:

This is the Hazard House that we take to the grade schools and show children. These are fire hazard in the house.

This barbecue grill with a propane tank should never be left in the home because it could cause an explosion or fire. So, this should be stored in the garage. Another thing is you don't want to leave gas lawnmowers stored in the basement because that could also cause a fire or explosion. Some people store flammable liquids in the basement. We don't want to store these in the house either because it could leak and also cause a fire or explosion.

Down here we have a fuse box where you see frayed wires and that can cause an electrical fire. We have this here furnace over here where you see it's leaking. You might want to have your furnace checked at least once a year. A lot

of hazard material that's stored down here like this plastic vinyl over top of the furnace, that could catch on fire also. Also, you want to have smoke detectors on every level of your home throughout the house.

Over here in the closet right here, this little boy in here playing with matches and lighters, we want to keep matches and lighters away from children because that's what they'll do. They'll go in a dark place and play with matches and lighters. Also in the home you want to keep your stairway clear because if you tried to escape in an emergency, you may trip down the steps or something like that. So, keep the steps clear at all times.

Over here we have an overloaded socket right here, you have too many outlets plugged in right here in the teenager's room. Also, someone left a lit cigarette right here in the ashtray. So, you want to be careful with that.

Up here in the kitchen what we're going to do is we'll remove these cleaning products because children can get these cleaning products and they may be poison. So, we'll remove this and that makes the house safe. Also, we want to tell people not to do unattended cooking. If you're cooking, stay in the kitchen with the food while you're cooking because a fire could start in the kitchen also. As you can see, this was unattended cooking right here. One way to put out a fire is you smother it out. So, that's what we're going to do here.

Over here in the livingroom, there's a guy sitting in the chair and he feel asleep with a cigarette in his hand. So, that could also fall between the couch and

the pillow and that can smolder for hours and it will eventually catch on fire. So, you see the room is getting filled with smoke right now. What we want to do right here, he's going to crawl underneath the smoke, out of the door and there's a door right here which is kind of hard to see. Also, you have overloaded sockets in this room also.

This halogen lamp, for people who have halogen lamps in their house, make sure the kids don't throw paper or anything up in the halogen lamp because that could cause a fire and it gets very hot. If you noticed, the smokers detectors should be going off by now.

Up here in the bathroom, there's a kid taking a bath with the radio over top. So, if that fall in the water he could get electrocuted. So, you want to be careful about that.

Out here in the hallway you have space heaters. You want to keep space heaters at least three feet from anything that's combustible or it can radiate and cause a fire; just like it's doing right up here. Most people sleep with their doors opened when you should sleep with your doors closed. That will keep the smoke from entering the room that you're sleeping in. If the door is hot to the touch, which you could see right here, what you want to do is you don't want to open it if it's hot. You want to keep the door closed and then you want to roll out of bed to put the back of your hand on the door to see if it's hot or to see if it's cold. If it's hot, what you want to do is crawl underneath the smoke back to this here window right here because you can't get up because the hallway is blocked by fire and smoke. What she's going to have to do, since

she's up on the third floor, it's too high to jump out the window or anything like that, so what we'll do is we had an escape ladder and escape ladder will allow her to escape out of the house in a safe way. Also, if you notice here, there's a curtain blowing over the space heater. That's hazard in itself right there. So, she'll get out of the house this way.

Up here in the attic, you don't want to store things up in the attic. You can see where there's a propane tank stored up in the attic and also a gasoline can over here with the clothes and paper. So, that's a fire hazard within-itself.

Also, you might want to have your chimney checked and cleaned once a year because debris can fly down into your chimney like branches from the trees and also sometimes a bird may want to build a nest in the chimney. So, you want to have that cleaned at lease once a year.

That's about it for the Hazard House.

The Chair:

Again, thank you all on behalf of everybody in the City of Pittsburgh for the great job that you all do.

Mr. Ferlo:

We'd like Mr. Gideon Toepletz to please come forward. If he has any guests you're welcomed also to join us. We have a bunch of great seniors here today from our Adult Services Program and we're going to get you up here very shortly.

I'm very pleased and honored that Mr. Gideon Toepletz is here today as the

Executive Vice President and Managing Director of the Pittsburgh Symphony Orchestra. I'd like to, on behalf of my colleagues, read the following proclamation.

MR. FERLO PRESENTS:

No. 2076 Whereas, the Pittsburgh Symphony Orchestra has recently returned from a breathtaking 25-day European tour that included 15 concerts in 12 cities; and

Whereas, the Pittsburgh Symphony Orchestra's travels led them to Edinburg, Scotland; Salzburg, Austria; Copenhagen, Denmark; London, England; Weisbaden, Germany; Lucerne, Switzerland; and back to Germany for performances in Baden-Baden, Ludwigsburg, Cologne, Berlin, and Dusseldorf all in a three week period; and

Whereas, under the masterful leadership of music director Mariss Jansons the Pittsburgh Symphony Orchestra awed audiences the continent over with its musical magnificence, inspiring one standing ovation after another from sold-out houses; and

Whereas, the Pittsburgh Symphony has served as, and continues to represent, a true Pittsburgh ambassador, singing the praises of our beloved city from one corner of the globe to another;

Now, therefore be it resolved, that the Council of the City of Pittsburgh does wish to congratulate and thank the Pittsburgh Symphony Orchestra for all of their fine work both at home and abroad;

Be it further resolved, that the Council does proclaim the week of September 27, 1999 to October 3, 1999 to

be "Welcome Home Pittsburgh Symphony Orchestra Week" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

I think the proclamation is self-explanatory. I think clearly our Mayor and certainly all of our colleagues and many of the Pittsburgh community speak well of the international character of our City. Whether that international character is business and economic in nature, whether it's professional or academic or cultural in nature, I think individually and accumulatively, it's these kinds of good well ambassador leadership that we have that we can be proud of in the City of Pittsburgh. It really does make Pittsburgh not only truly someplace special but truly someplace special in the international community.

I think clearly from the round the world tour in the last few months of the Pittsburgh Symphony, they really have epitomized this initiative of the international outreach and goodwill that the symphony has spread to cities and countries throughout the world. I thought it was appropriate. They've gotten tremendous reviews certainly in Europe and abroad. They returned with some noted articles locally in the newspaper. I believe the Mayor, also, was recently on the stage also sharing his (inaudible) for the symphony.

When we look at economic development issues in the City, I know for

instance we have been maybe preoccupied, at least real perceived with so-called Plan B and sports and the Penguins and football that sometimes I think certainly the cultural community feels that maybe the cultural trust and musical and cultural entities that we benefit from in the downtown and neighborhood corridor are not as important. But, when you really look at it, not only from an international ambassador goodwill and even from the creation of jobs and income for so many working people, you really have to say that Cultural Trust and the (inaudible) of programs that they offer, be it the Benedum at the Heinz, you name it, accumulatively they represent a very vital economic part of our City of Pittsburgh.

So, we want to applaud the good work of the Pittsburgh Symphony. We want to wish them well. We hope they're here for many hundreds and hundreds more years.

Thank you very much. On behalf of all my colleagues I wanted to present this to you and give you an opportunity to say a few words.

Mr. Toepletz:

Thank you.

Let me start, if I may, with some corrections. I think you skipped one of the most wonderful cities we visited which was Dublin, Ireland. I recommend to all Irishmen who live in this area to go and visit there as soon as you can, it's a wonderful, wonderful place.

The second thing, a mistake which occurs quite frequently, we are not the Cultural Trust. We are the Pittsburgh

Symphony, separate from the Cultural Trust. We make our own life very good without them.

The third thing, we have been touring the world for a long time now. Our mission for a long time was, basically, to make sure that people around the world know to spell Pittsburgh with an "h" at the end. We've been quite successful thus far. In modern times, our duties are much beyond that and we're delighted to see that the people who leave this city come to the conclusion that the opportunity for them to develop business relationships with the communities we visit and bring back business to Pittsburgh.

We will continue to travel. We are planning another trip to Europe in May, which will take us to Spain and Australia, Holland, Belgium and England. Another trip to South America in some of them does one another to the Far East and on and on we go.

We appreciate it and we'll keep doing what we do. Thank you.

Ms. McDonald:

I also want to applaud the PSO for the outreach efforts also that they do. They may travel internationally, but there is a very local touring that you do. The PSO coming to Schenley High School yearly for a performance is wonderful, it's always extremely well attended, I'm there, to work with the orchestra, the band as well as the choir of Schenley High School. So, I applaud you for your outreach efforts.

I would only urge you that as you tour Europe and those many cities you're including now South America. There's

another continent called Africa and I would just hope that you would explore performing at each and every continent to be an ambassador. As I push forward to have a sister city relationship with, at least, two cities in Africa, those may be stopping points for you.

So, again, I applaud you. PSO is what makes Pittsburgh great.

Mr. Cohen:

I also just want to congratulate the Pittsburgh Symphony and Gideon Toepletz for doing such a remarkable job. You're one of the finest emissaries for Pittsburgh around.

I heard such good things about your opening concert last weekend that I just regretted that I couldn't be there. Apparently you had somewhere around 300 people on stage including the entire Mendelson Choir and, of course, the full symphony. So, if the rest of your season goes as well as that kickoff, it's going to be a remarkable year for the Pittsburgh Symphony Orchestra. I've just heard a lot of people come up, at least to me, personally, and say it was a wonderful night.

So, thank you very much for coming.

Ms. McDonald:

Will Dr. Barnes come forward please. I'm going to read the proclamation.

MS. MCDONALD PRESENTS:

No. 2077 WHEREAS, the 2nd Annual Celebration of Love, will be held at the Carnegie Music Hall on Friday, October 1, 1999 at 7:00 p.m.; and

WHEREAS, the event will celebrate love, marriage, family and marital longevity in the Black Communities in the City of Pittsburgh. Black couples married fifteen years or more are asked to celebrate and to witness their commitment to love and marriage. Their will be role models for the Black youth invitees in attendance at the Gala who will see the marital accomplishment of the celebrants and may be inspired to be like them in their lives; and

WHEREAS, over 500 couples have received invitations to come to share an uplifting, memorable program of love portrayed through poetry, prose, music, dance and art, created and/or performed by outstanding local talent; and

WHEREAS, the Celebration of Love Gala, first presented in 1997, is the unique concept developed by Dr. Frances J. Barnes, Editor and Publisher of two love anthologies entitled "LOVE - From Black Women to Black Men" and "LOVE-From Black Men to Black Women". Dr. Barnes, known by many as "the love lady", is committed to promoting positive love relationships, Black to Black, and to encouraging married couples as they work to make their marriage succeed and to keep the Black family together, strong, and stable.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Dr. Frances J. Barnes, "the love lady" for her strong commitment and values on the Black Family.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I attended the gala last year. Unfortunately, I'm not going to be able to attend this year which is why I'm glad you're here today to receive the proclamation.

Last year it was a quite an elegant affair. Last year it was 20 years or more. This year it's 15 years or more. I guess to involve more people who are still working towards that two decade mark.

Again, Dr. Barnes, congratulations. Again, I ask you to continue this crusade to make sure that the families, especially in the African American community where a lot of times are falling apart, that you keep pushing to keep them together.

Dr. Barnes, if would you like to say some remarks.

Dr. Barnes:

I'm deeply appreciative of the recognition that the Council is giving this Celebration of Love gala which means so much to me and to all of the people here in Pittsburgh. Indeed there is nothing else that has ever been done like this in any other city in the country. I said that my dream is that the other cities in our country will pick up on this and that there will be celebrations of love all across this country.

While this celebration, the celebrants this year are those black couples who have married 15 years or more, this celebration is opened to everybody, whether you have been married less than 15 years, whether you are single, whether you are divorced, everybody should come and join in the celebration. It is an awesome thing to be sitting there and have hundreds of people who have come to witness to their commitment to love and marriage and family and marital longevity.

So, I hope that I will see some of you there this Friday evening, 7:00 at the Carnegie Music Hall. Again, thank you very much.

Mr. Ricciardi:

If our special senior athletes can please come forward with Mary Esther Van Shura who's also Deputy Director of the Department of Parks and Recreation.

Mr. O'Connor, the resolution before us is sponsored by all members of Pittsburgh City Council. Our senior athletes are representing many different neighborhoods throughout the City of Pittsburgh. You can hear those chimes, those are all the special metals that they brought back from Shippensburg.

We also have a number of staff employees from the Department of Parks and Recreation that I'm going to ask Mary Esther to introduce.

MR. RICCIARDI AND ALL COUNCIL MEMBERS PRESENT:

No. 2078 Whereas, the 19th annual Pennsylvania Senior Games were held from July 12th to 17th, 1999 at Shippensburg University; and,

Whereas, the Pennsylvania Senior Games were made up of seventy events in twenty sports for eleven different age groups; and,

Whereas, the SeniorInterests contingent from the City of Pittsburgh was comprised of 34 seniors from various centers throughout the City; and,

Whereas, the SeniorInterests contingent brought home 185 medals from the Pennsylvania Senior Games; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates the SeniorInterests contingent on their success in the 1999 Pennsylvania Senior Games.

Be it further resolved that today, Tuesday, September 28, 1999 is known as SeniorInterests Day in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues.

I think we're all very proud of our senior athletes throughout the City of Pittsburgh who continue to bring back hundreds of metals, both bronze, silver and gold, throughout the years.

On that note, I'd like to ask Mary Esther if she could please come forward.

Introduce your staff employees and our senior athletes here in the City of Pittsburgh.

Ms. Van Shura:

Thank you.

I'm delighted once again to honor our ambassadors to the state. It was sort of appropriate that we follow the symphony that are true ambassadors internationally, these 34 athletes were ambassadors in Pennsylvania. They spread the message that Pittsburgh, indeed, is committed not just to the children of our city, but also to ensure that there's a vitality and a spirit of our seniors.

I also want to thank you once again for your generous contribution in sponsoring the bus that transported these seniors back and forth. That allowed us to continue that tradition.

As you know, we have an annual way of telling you about our program. Rather than do it in words, we'd like to do it in song. We distributed the song and we ask you to join with us. We bring you a different way -- the senior game song that we're doing is to the tune, "If You Knew Sally". This was written by Betty Farmer who graces us each year with this.

"If you knew seniors...

I would also like to point out that this year we have six of our finalist going on to the Nationals which will be held in Orlando starting October 19th through October 29. I'd like to recognize Mary Ellen Ponticel going to the national, Andy Farmer, related to Betty Farmer, Lois Walsh, Mary Wohleber, and Shirley Grab

that I understand have already left for Florida. They wanted to get an early jump on the Nationals. But, we're delighted for that presentation.

As you know, this kind of organization throughout the state and throughout the city can't occur without the contributions of our staff who worked (inaudible). I particular want to thank the two people that do all the hands on, they travel with our seniors for that week. They're here today, they put on the booklet, it's a lot of organization as you know. That, of course, is Christie Brown our Program Supervisor and Perm Macintosh (Phonetic) who is our Lawrenceville Senior Citizen Director. Also with us today is Ray Fischer who is the Program Supervisor, Lydia Valonta (Phonetic) who is our Health and Homeless Supervisor; and Jim Turnba (Phonetic) who is just a tremendous asset to us.

On behalf of the seniors, Jim Cichra has asked if he could come and just talk one second and represent the senior delegation. Jim is from our Sheridan Senior Center.

Mr. Cichra:

Thank you, Mary Esther.

Speaking for the seniors, I'd like to again reiterate the thanks that Mary Esther has done for you. I want to thank the SeniorInterest and the Department of Aging for their support of this program.

I'd also like to thank another group that's not here anymore. That's the City Council way back in 1938, '39 and '40 when I was a young boy, when many of us

were young boys and young girls living in the City of Pittsburgh. I lived on Troy Hill. As a young boy, I enjoyed the recreational activities. They built a tally recreation center. I went up there every Saturday and I played basketball all day and also it was a place where I could take a shower instead of going on that Saturday night tuba as we, back in the depression days, used to do. We also learned table tennis and swimming. You provided us also with a place for dancing. I remember the old Penguin Club up there in the early '40s where Bill Flanagan, who was our director up there, Mary Lawrence Zelman one of our directors also, one our helpers, Al Zelman over there. Some of you might remember some of these names because they are important in the early life of the recreation centers.

Also, they were built up on West Penn, Warmsby, South Side was provided for, Ammon Recreation Center. Now, as we old teenagers are around, we're using them again as seniors centers. We can go there for lunch, we can go there for bingo if you're not to sports oriented or play cards or play pool or play shuffleboard or play bocci, these are all provided for us.

So, City Council provided for us when we were young back in the latter part of the depression years and now you're providing for us as we get up in our golden years. Again, thank you very much for your help. I'm asking all the seniors out there in the City of Pittsburgh that don't know about these centers to come and join us. You'll see the fun we have, join us, and you'll have fun, too.

Thank you, again, City Council.

Ms. Van Shura:

Councilman Ricciardi has been so gracious to acknowledge each of the seniors. He's asked me if I could acknowledge each one of them. If you could just raise your hand, Elsie Lowen, Stella Dobrovolsky, Anna Lambert, Phyllis Haduch, Jim Cichra, Margaret Dietrich, Rita Ernharth, Bill Ernharth, Jerry Gardner, Thelma Halliday, Anne Horton, Bob Horton, Blanche Michalski, Mary Ellen Ponticel, Walter Speakman, Richard Barton, Frank Cashi, Andy Farmer, Betty Farmer, Milt Griffin, Nick Kandravy, Rosalie Nesbitt, Ann Paslowski, Mary Sankey, Fran Sokol, Pat Toney, Lois Walsh, Mary Wilson, Rose Snyder, Mary Wohleber, Shirley Grab, Jerry Land, and Margaret Menges.

Thank you again for your support. As our parting gift, as we do each year, this year we give you a pack of cards with SeniorInterests on it so hopefully you can come to us and join with us.

Thank you all so much.

The Chair:

Mr. Udin, do you have special guests?

Mr. Udin:

I'd like to ask Debbie Norrell and any other representatives of the Minority Enterprise Corporation to please come forward.

On October the 8th, the Minority Enterprise Corporation will be holding another of its very successful annual conferences to sponsor and promote

entrepreneurship at Enterprise development in minority communities.

This year is probably one of the best organized and will probably be one of the best attended conferences that they have had so far. They're doing very important work and I want to thank Sharon Williams and all the staff of MEC for the important contributions you are making to the City. I want to thank Debbie Norrell for joining us to accept this proclamation.

MR. UDIN PRESENTS:

No. 2079 WHEREAS, our community is blessed with individuals and groups with determination and gifted spirit to cooperate through the free enterprise system, thus reinforcing our economic strength; and

WHEREAS, the success of minority business enterprise reflects its contributions to our economic well-being and progress because of the ability of minority Americans to participate more fully in the economy; and

WHEREAS, the Minority Enterprise Corporation, an organization which assists entrepreneurs, primarily minorities and women who have ideas for business ventures, in developing and expanding companies in our area, will hold its 11th Annual Power Conference 2000: "Embracing the New Millennium," on October 8, 1999 at the Hilton Pittsburgh & Towers; and

WHEREAS, the conference will feature business development workshops for start-ups and established businesses, a session for high school students interested in the field of information science and

prominent guest speakers, including Tony Brown, author and television host.

NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh does hereby commend the Minority Enterprise Corporation of Western Pennsylvania for sponsoring this worthy conference; and further commends them for their tireless efforts to advance the entrepreneurial efforts of minorities.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Udin:

Do you want to say a few words?

Ms. Norrell:

I want to thank all of you so much for having us here today. Sharon couldn't be with us because she's busy working on Power Conference so she sent me down to accept this and I'm very grateful.

I want to thank all of our sponsors. We have so many people that have worked with us this year, Equitable Resources, National City, Dollar Bank, Pittsburgh Business Times, UPMC, PNC, Giant Eagle, Coleman Spon, Three Rivers Connect, Mellon Bank, Allegheny Regional Asset District, Turner Construction and a host of other people, all of our media sponsors that have worked so hard with us. In '98 we helped over 1,300 people. There are so many people that want the dream of their own business and the Minority Enterprise Corporation

has been very successful in helping people accomplish that. We just celebrated our 20th graduating class about a week and a half ago. I'm very excited to be with MEC, it's a wonderful corporation.

Power Conference 2000 is the 8th of October as Councilman Sala Udin mentioned. This year we have a line up like no other. If you're not planning to come to Power Conference 2000, I think you should.

Thank you so much.

Mr. Udin:

This next proclamation is a proclamation which goes to an institution which has been in Pittsburgh for a very, very long time and has been a source of spiritual renewal and material renewal for many, many Pittsburgh families and families throughout the Western Pennsylvania region. I'm proud to be able to help to celebrate 31 years of pastoral service being rendered to the congregation and to the City by the Bishop and Mrs. Thorpe. I want to thank you for coming down to receive the proclamation.

MR. UDIN PRESENTS:

No. 2080 WHEREAS, during our nation's genesis, its founders sought to provide spiritual as well as bodily sustenance for its people, and in so doing, created fortresses of faith around which communities grew stronger; and

WHEREAS, this time-honored practice is demonstrated in our own community, where the Northside Institutional Church of God in Christ will celebrate their pastors of 31 years in the

City of Pittsburgh, Bishop and Mrs. Eugene Melvin Thorpe; and

WHEREAS, these faithful pastors and thriving congregation pride themselves on being a community based, Bible believing, Christ-centered, Spirit directed fellowship ministering wholistically to the total person to the Glory of God; their 31 years of service bear testament of "Great is his faithfulness".

NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh does hereby congratulate Bishop and Mrs. Eugene M. Thorpe, officers, and congregation for 31 years of service in Pittsburgh, and we wish them continued success in providing Ministry to the heart of the Northside and beyond..., as "God's Ministering Gifts", always dedicated to the Glory of God and to the service of mankind, and with faith and prayer, we join the church members as they look ahead to the challenges and promises of the future.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Unidentified Speaker:

Good morning.

On behalf of the Northside Institutional Church of God in Christ, I'd like to thank you very much for this invitation.

Bishop and Pastor Thorpe have been in Pittsburgh, again, I think 31 years.

Some of their largest contributions, I don't know if any of you all remember, but back when the AIDS epidemic was rampant, there was one gentleman from the Western Penitentiary where they couldn't find a church that would bury and hold a funeral for this individual. The Northside Institutional Church and the Pastors were very willing to open up their doors. We've been consistently involved in community partnerships and collaboratives. I'm just excited about what's going to take place for another 31 years.

I want to, again, thank you for your time and thank you for your support. We are videotaping today because on Saturday night, October 2nd at 6:00 we will be at the Pittsburgh Center City Marriott holding the anniversary banquet of Bishop and Pastor Lolla Thorpe. Hundreds will be watching this tape and I'd just like for them to see the support that we have from the city for the past 31 years.

Thank you very much.

The Chair:

I believe we have three or four to be read into the record.

MR. DIVEN PRESENTS:

No. 2081 WHEREAS, Carrick High School opened it's doors on September 24, 1924, and has graduated almost 20,000 students and;

WHEREAS, the most recent class, in June 1999, was the 100th graduating class in the history of the school and;

WHEREAS, during it's 75 year history more than 22% of all Carrick High

School students were graduated with honors and;

WHEREAS, Carrick High School is the alma mater of such distinguished elected officials as State Representative Harry Readshaw and County Commissioner Mike Dawida and;

WHEREAS, on Friday, September 24, 1999, a 75th Anniversary Flag will be raised and flown below the American Flag on the school flagpole on Parkfield Street and;

WHEREAS, the anniversary flag will contain the Anniversary Logo which was designed by Carrick High School Senior and honor student Luke Fluhr who won the design contest held by the high school and the alumni association.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Carrick High School on the occasion of its 75th Anniversary and commends the faculty and staff for their commitment and dedication to the students of the city of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Friday, September 24, 1999 "Carrick High School Day" in the City of Pittsburgh.

MR. HERTZBERG PRESENTS:

No. 2082 WHEREAS, when crime in the West End Elliott Neighborhood escalated to alarming numbers, the West End-Elliott Citizens Council decided they must do something; and

WHEREAS, the West End-Elliott Citizens Council created a neighborhood crime watch patrol consisting of volunteers from the West End-Elliott area; and

WHEREAS, after patrolling the West End-Elliott area for six months, the Citizens Patrol is continuing to grow and take back its streets; and

WHEREAS, the Citizens Patrol volunteers have been changing the atmosphere of their community by patrolling the West End-Elliott communities on Friday and Saturday evenings, keeping an eye open for any suspicious activity and calling it into the police; and

WHEREAS, with the help of police officers from Zone 4 who had targeted the West End-Elliott area earlier in the year, the rate of robberies has dropped 38%; and

WHEREAS, the Citizens Patrol volunteers are:
Steve Crivella chairman, Florian Zwitch, Tom Bankert, Norene Beatty, Bill Hoover, Ron Reiss, Ray Adomunis, Matt Hogue, Elmer Clark, Lou Torcassi, Chris Mooney, Patty Roberto, Dave Luxbacher, Gene Heinold, Terry Barnhart, Juliann Thoms, Ed Ford, and Steve Smith

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to commend the West

End-Elliott Citizens Patrol on taking back their community to make it once again a safer place to live.

MR. ONORATO PRESENTS:

No. 2083 WHEREAS, St. Michael's Church serves residents of the North Side; and

WHEREAS, the clergy and parishioners of St. Michael's convey their Christianity throughout the community.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the clergy, staff, and members of St. Michael's Church; and

BE IT FURTHER RESOLVED, that Wednesday, September 29, 1999 is hereby proclaimed "St. Michael's Day" in the City of Pittsburgh.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 2084 WHEREAS, the scope of breast cancer touches the lives of millions of women, men and their families and that every woman has a one in eight chance of developing breast cancer during her lifetime, the month of October is known as Breast Cancer Awareness Month throughout the nation, and

WHEREAS, to mark Breast Cancer Awareness Month in Pittsburgh, Saks Fifth Avenue is presenting Fashion Targets Breast Cancer, a four day nationwide shopping event, and selected as its local beneficiary, the Susan G. Komen Breast Cancer Foundation Pittsburgh RAC FOR THE CURE, a project of the National

Council of Jewish Women, Pittsburgh Section. Through its commitment to raising breast cancer awareness, Saks will donate a percentage of sales from September 23 to 26, to the Pittsburgh RACE FOR THE CURE.

WHEREAS, the Komen Pittsburgh RACE FOR THE CURE is fulfilling its mission to eradicate breast cancer as a life threatening disease by advancing education, screening, research and treatment. The annual Mother's Day Race in Schenley Park has evolved into the largest foot race in the state of PA and a Pittsburgh tradition, raising \$3.5 million of which 75% stays here in Western PA to fund local, year round services and 25% supports the Komen National Grant Program for breast cancer research; and

WHEREAS, local RACE projects serve our communities through the Mammogram Voucher Program, providing mammograms and follow up diagnostic services for medically under-served women in 22 Western PA counties (to date, more than 19,000 vouchers have been issued and 121 cancers diagnosed); as well as through free, year-round educational forums throughout Western PA to promote early detection of breast cancer for African American women, Latinos, New Americans, and programs for senior women, rural women, teens and breast cancer survivors;

NOW THEREFORE BE IT RESLOVED, that the Council of the City of Pittsburgh does hereby commend and honor the Pittsburgh Section of the National Council of Jewish Women and the Susan G. Komen Breast Cancer Foundation for sponsoring the Pittsburgh RACE FOR THE CURE and extend best

wishes and congratulations to Saks Fifth Avenue for its generosity and commitment to racing to find a cure for breast cancer through its Fashion Targets Breast Cancer event; thus we proudly proclaim this day, Thursday, September 23, 1999 to be the official launch of Breast Cancer Awareness Month in the City of Pittsburgh!

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

We will now move to Public Comments. If there's anyone in the audience who wishes to address Council, you have three minutes. Please give your name and address for the record.

PUBLIC COMMENTS

Mr. English:

My name is Gary English. I reside at 1504 Fairmont Street.

Councilman Ferlo, since you brought up the issue of stadiums, I must indulge. The Regional Renaissance Initiative ballot was based on the premise of a lie. The RAD tax enacted three years prior to the regional renaissance had a provision there to preserve, improve and develop professional facilities making the Regional Renaissance Initiative a farce.

On January 5, 1998, Mayor Murphy was quoted in the Tribune Review stating that the voters made the decision

that they do not want tax dollars to pay for stadiums and I think we need to respect that. That's another lie. It exemplifies no respect to the public wishes.

On March 25, 1998, Council complained that they are out of the loop in the planning stages on stadium development. Councilman Ferlo stated, "I think this Council has a right to review the plans." Councilwoman Valerie McDonald said, "it is plain ole disrespectful for the architects of Plan B to keep Council in the dark." I happen to agree. Now, millions of dollars are being spent on stadium development for property acquisition which has forced people from their homes and businesses on the North Side and today we still do not have signed leases with the Pirates and the Steelers.

To make it more palatable, Council based a player tax. This tax was originally to help pay for the stadiums. But, now all it is is just another tax going into the general fund, another lie. The public has also been told that the State Legislation, the vehicle for stadium funding, was a loan to the teams. Did you know that Article 8, Section A of the State Constitution says, the credit of the Commonwealth should not be loaned or pledged to any individual, corporation, or association? Yes, that would include sports teams.

The last from the string of lies also violates free speech. Last year Council voted on a ban of political signage on public property within city limits. Councilman Onorato was among those that voted for this city ordinance, which I pointed out earlier this year.

In the primary, Dan Onorato violated the law that he has imposed on

others and yet he has failed to pay a fine for his violations. Now that another election season is upon us, Councilman Onorato continues to violate the law that he imposes on others as this sign here, again, was taken from city limits on overpasses within the city. Councilman Onorato, since you continually and repeatedly violate the law, the law that you voted for, I will ask again will you voluntarily pay the fine that you have imposed on others or will you repeal the very law that you refused to obey?

Mr. Onorato:

I'll have to review it. Thank you --

Mr. English:

You'll have to review it.

Mr. Onorato:

Please leave that here, though so you're not charged for stealing property.

Mr. English:

It came from the overpass on the Parkway East which is within city limits. Again, your campaign continues to violate the law. Yes, I do hear the beep.

Have a nice day.

Mr. Seifert:

I'm Bill Seifert from Point Breeze. I want to give Jimmy Ferlo a little citation for the good work at Nabisco. So, Jimmy I want to present this little award for you. He sponsored the Nabisco to the many affairs we had at Nabisco. He sponsored the trip to headquarters and he sponsored

the park thing. Jim, I give you this little thing, Jim. Thank you very much. In 1982, he was a great help to us. Thank you, Jim.

I just want to say that I thank all of you good Councilmen, too. I wish I could give you an award. We had a little banquet a couple of weeks ago and Jimmy couldn't make it so I came down to present it to help.

All you fine Councilmen, everyone of you were involved with Nabisco when they came down here. When they talked about it, they took this back to headquarters and every one of you had good comments and that sort of brought Nabisco to say, listen, we better take care of these people here in Pittsburgh. So, all of you Councilmen and the good Mayor, too. The good Mayor did a good job, too. He's king of the city to help us all.

Today, I'm going to tell you about what's happening to the bakery out there to keep you updated to it. The bakery is Atlantic Baking, Councilmen. We have about 16 people working out there right now. They are getting things together. It's going to take about three to four weeks maybe to get the crackers going. That's what they want to get, the cracker line going to make crackers. They're going to make a cracker first, they're going to make a little ritz cracker. After that, they're going to make a graham cracker.

So, it's going to take a little time to get started on it and different things. But, they're going to have a little party, I don't know where he's going to have it. I hope to invite all you Councilmen out. He's going to have it in the building, that's what he told me now. I'm not in there. I left there August 6th, I just wanted to clean it

out. I'm not back in and I don't know if I'm going to go back or not. So, we're trying to get the people. We have about 16 of us in there.

I just wanted to come down here today and thank the President O'Connor and each one of you Councilmen because you're great people. I just wanted to say good morning to you and good things to you. So, I salute each one of you.

Thank you very much.

The Chair:

Thank you, Bill.

Mr. Ferlo:

First of all, I want to accept this award and thank Mr. Sephert from Local 12 and others involved and accept it on behalf of all of my colleagues.

I did want to ask Mr. Sephert to take back to the local and to the company representatives in terms of the historical character of the Nabisco building itself, it does have an important (inaudible), NBC, previously, obviously, stood for National Baking. I propose that we change that to Neighbors Baking Crackers so we can keep the NBC logo.

Thank you.

Ms. Urquhart:

Good morning, Council.

My name is Dorothy Urquhart. I reside in East Liberty, P.O. Box 5491, Pittsburgh 15206.

Well, I come with not so good of a greeting to Council this morning because I have a big problem in which Council has not seen fit to look into. You know they had a president to even put them on the stand when there is something wrong. Yet, here this City Council hasn't found it beneficial enough or wrong enough to go to the URA which is ruling this city to see why and what happened to my money.

Here in this city we have a lot of problems. You wonder where are the born again spiritual leaders in this city. We have a lot of problems. This city is just about as bad as the Sodom and Gomorrah days. They're having problems coming to this Council to ask and see what they should do out at Pitt as far as the gay and that. You need the spiritual leaders in this city. I'm going to tell you this city is going down to nothing. Especially when it stands by and I've been saying and complaining. I'm not coming down here asking nobody to give me nothing. I have paid for what I have. I'm paying for it and if I don't continue to pay for something that I do not have, I will be put out; I will not have it. It's \$56,000.00 I have invested into that property and, yet, I'm paying for something I do not have. My house is not renovated. I shutter to think of spending another winter in that residence. No one knows how uncomfortable it is. Yet, I'm out of close to a \$1,000.00 a month.

So, I will be coming down here. I'm not complaining down here because I want you to give me something. I want you to straighten out the wrong that has been done to me and many other elders in this city where the URA is still renovating homes and what they're doing, the

corruption that's going on. No one has investigated it.

You, the Council, should be held responsible to investigate. Not go to the URA, but go to where they have caused the problem, find out what the problem is and investigate it and correct it. The seniors in this city and also the ones who are being done wrong, the women, that's the ones they're doing it to. So, City Council should be looking into this here. Let us not become more like Sodom and Gomorrah. Let us start correcting some of our wrongs and turn it to the creator to help us and guide us and lead us. Where you don't know some of our spiritual leaders should be there to help you.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

First I would like to start off by saying that I just recently learned that Mark Brittney's father has passed away. I want to send our condolences to his family and friends in this time of sadness and we are standing behind him.

I would like to also make a correction. I had said that the Steelers' were playing at South Vo Tech ballfield, I found out that they are not. I would like to correct that statement that I made.

I carry this sign because it says that knowledge is power. Let me read what was handed into this Council. We, the undersigned, are requesting a public hearing into the actions of Chief Fadzen, Head of Security, that have put the children that attend the Pittsburgh Public

School System in Pittsburgh, PA in physical and emotional harm while placing the children in life threatening situations. We, the undersigned, intend to attend the public hearing.

The reason why I bring this up is I spoke to -- I've been coming back week after week asking that this hearing be rescheduled. Well, Mr. O'Connor, was back there with a bunch of people and when I asked him again, he said it will not be held. Well, I am requesting that 32 people who's names are on this petition be sent a written statement as to why it has not been held and will not be held.

You, Mr. O'Connor, when I told you that I sent a letter to Senator Spector, your remark was let him handle that. Mr. Spector, a lot of people respect you because you do, in my opinion also, you seem to have some type of consideration and compassion for the people in your district and in the State of Pennsylvania unlike Mr. O'Connor and some of the other Councilmembers. I hope you don't get to puffed up because the young that gave you such high ratings when I, myself, believe that you have misled the people.

The reason why I'm a little upset is this, week after week I come back and I ask questions which they refuse to answer. Here are our rules -- that just happened that only book was getting to me, not two. So, I am requesting that these books be put in your reception area so that the people in the community will know that you're not following your own rules and regulations. If you're that ignorant that you can set up rules and not follow them, then the people need to come down, not just me, come down and voice their opinion. Come

down and see what they're not paying attention to.

Thank you and have a nice day.

The Chair:

Thank you very much.

Anyone else wishing to address Council?

Hearing none, we will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 2085 Resolution providing for contracts and agreements or the use of existing contracts or agreements for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks at a cost not to exceed \$60,000.00.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

No. 2086 Resolution transferring the sum of Nine Thousand (\$9,000) Dollars from Organization Code: 121000, Sub: 010, Fund: 1000, Account: 511000, Budget Year: 1999, Salaries TO Organization 121000, Sub: 150, Fund: 1000, Account: 524700, Budget Year: 1999, Miscellaneous Services, Department of General Services.

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN PRESENTED:

No. 2087 Resolution authorizing the transfer of One Hundred Sixty Thousand Dollars (\$160,000) from the Bureau of Police to the Office of Municipal Investigations, Law Department.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 2088 Resolution authorizing and directing the Mayor and Director of Finance to transfer the sum of ten (10) million dollars from the City's operating reserve fund balance and the capital bond account to various code accounts in various Departments in each of the following three years, FY2000, FY2001, and FY 2002 to support the expenditures, appropriations, and contracts needed to fulfill the work plan developed by the Neighborhood Infrastructure Improvement Commission. All contracts and expenditures shall be submitted by Resolution for the Mayor and City Council's approval prior to any expenditure. **—(SPONSORED BY MR. FERLO)**

No. 2089 Resolution amending Resolution No. 59 of 1999 entitled "Authorizing the City of Pittsburgh to enter into a cooperation agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund and the deposit therein of certain earned income tax paid by non-residential professional athletes and other non-residents who use government owned, supplied or sponsored facilities" by directing all City of Pittsburgh earned

income tax paid by non-resident professional athletes and other non-residents who use government owned, supplied or sponsored facilities to be deposited into the Special Parks Trust Fund. **—(SPONSORED BY MR. FERLO & MR. RICCIARDI)**

No. 2090 Resolution authorizing and directing the Solicitor to prepare for formal introduction to Council an Ordinance creating the NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT COMMISSION, no later than thirty (30) days from the passage of this Resolution. Council shall hold a formal public hearing prior to action on the Ordinance. The Ordinance creating and authorizing the Commission shall contain, but not be limited to, the following provisions. **—(SPONSORED BY MR. FERLO)**

Which were severally read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 2091 Resolution providing for a Contract to be bid, for the purchase of a 4 x 4 Recycling Pickup and Two 9 Cubic Yard Recycling Trailers, in connection with the Recycling Program at the Public

Works Environmental Services Bureau, at a cost not to exceed \$45,000.00.

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 2092 Resolution adopting the North Shore East/River Avenue Tax Incremental Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh, and making certain findings. --
-(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 2093 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the financing, monitoring, implementing and terminating of the North Shore East/River Avenue Tax Incremental Financing District.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 2094 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in

14th Ward of the City of Pittsburgh
(Council District No. 5 - Site
Assemblage):

WARD

BLOCK/LOT

ADDRESS

14th
128-N-47
2707 Zama Road

14th
128-N-99
2755 Fernwald Road

14th
128-N-101
2761 Fernwald Road

14th
128-N-102
2765 Fernwald Road

14th
128-N-103
2767 Fernwald Road

14th
128-P-7
2738 Zama Road

Which were severally read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 2095 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain property known located at 5629-5669 Beacon Street, and all of the property designated as Block and Lot Number 086-P-196, in the Fourteenth Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 2096 Resolution amending Resolution No. 337, effective 5-17-96, entitled " Providing for a Contract or Contracts, or the use of existing contracts for various repairs, equipment, or materials, for the Department of Parks and Recreation in connection with the renovation of City swimming pools, for a total amount of \$198,000.00", by reducing the Major Repairs & Emergencies line item by \$60,000.00.

No. 2097 Resolution further amending Resolution No. 976, effective January 1, 1996 , as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by reducing the Major Repairs & Emergencies line item in the Department of Parks and Recreation by \$60,000.00 and increasing the Fuel Island Rehabilitation line item, in the Department of General Services by \$60,000.00.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 2098 Resolution providing for an Agreement or Agreements with a consultant or consultants for pre-employment background investigations at a cost not to exceed \$160,000, and providing for the payment of the cost thereof.

No. 2099 Resolution providing for the issuance of a \$6,000.00 warrant in favor of Harold & Martha Jackson, c/o James R. Moyles, Esquire, Gilardi, Cooper & Lomupo, 808 Grant Building, Pittsburgh, PA 15219, in settlement of a claim in which claimant's suffered personal injuries from an intersectional accident with a City of Pittsburgh Fire vehicle on December 3, 1997.

No. 2100 Resolution authorizing the transfer of three thousand dollars (\$3,000.00) from within the Department of City Controller; from Miscellaneous Services Printing to Supplies.

No. 2101 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of consultants to assist the City of Pittsburgh with the technical and financial aspects of the cable communications franchise renewal process in an amount of sixty thousand dollars (\$60,000.00).

No. 2102 Resolution providing for an agreement or agreements with a consultant or consultants to provide actuarial services for the City of Pittsburgh for a period of three years, for the years 1999 through 2001, at a cost not to exceed One Hundred Thousand Dollars (\$100,000) per year and providing for the cost thereof.

Which were severally read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2103 Communication from Jacqueline Morrow, City Solicitor,

submitting a summary of all claims filed and paid in July, 1999.

Which was read, received and filed.

MS. MCDONALD moved to receive and file.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

Point of order, Mr. Chairman.

There are several departments that will notice that request for Rule 8 on several of the Bills. We received requests from about eight different bills to receive Rule 8.

I just want to remind the departments and remind colleagues that the purpose of the time inserted into the City Charter that is required for the introduction of bills and the taken up of the bills in the Standing Committee and in final session is so that Councilmembers and the public have adequate time to study the voracity of various bills that are introduced. If we become routine in our requests for a Rule 8 without any reason, just because we want to hurry up the discussion or to make it timely for the media, that defeats the purpose of that rule being in the Charter.

So, I would request that department heads, unless you have a valid reason for requesting the waiver of Rule 8 as well as colleagues, to please reframe from doing so. If you have a reason, then the reason should be stated and attached to the bill when it's submitted.

Thank you.

The Chair:

Thanks to your input and Scott's, our Budget Director, the Administration Director did back off I think some very critical financial business that we will only have less than 24 hours to review. So, I certainly agree with that.

Mr. Ferlo:

As we've stated so many times in the past, it's not that difficult for a department director to call the respected Councilmember who chairs the respected committee and explain the situation and the predicament relative to expediting the process. I don't know why that's so difficult. I don't know why we have to keep repeating that excessively over the last years that we've all been serving.

Thank you.

The Chair:

We will now move to Unfinished Business.

UNFINISHED BUSINESS

Mr. Hertzberg:

Bill No. 2040 passed last Tuesday. It was a resolution directing the City Solicitor to seek an injunction to prevent the transfer of Pittsburgh International Airport and Allegheny County Airport to the Allegheny County Airport Authority.

I'm going to make a motion to reconsider that bill.

MR. ONORATO seconded the motion.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Discussion on the bill itself.

We had an Executive Session relative to this resolution last week. I still feel as strongly as I have that the Airport Authority and the transfer of our two county airports to it is a major mistake. It's wrong for a lot of reasons. New reasons actually keep coming up as the documentation is more thoroughly examined. For example, we now find out that there has been no environmental assessment done of the airport a place where, in the past, there have been problems with jet fuel leaks and its impact on the environment. We now are ready to transfer that plan for a long term lease which is just about close to transferring land altogether without even having a baseline of knowing what the environmental problems are.

We have a situation unlike here in the City where we transferred our water and sewer from the City to the Water and Sewer Authority for consideration. We had a dollar figure attached to that which was actually paid to us. I believe the amount was \$85 million dollars.

The county airport, which represents the largest single asset that the County hold is going to be transferred for this long term lease without any dollars changing hands. The Mid-Field Terminal, I think, was built with debt of about a billion dollars. The county's on the hook

for that billion dollars. Now, the proposal is to transfer the operation and all the different revenue streams to this Authority which has already been appointed by a couple of Commissioners who are going to be out of office come the first of next year. There will be new people in charge of that. They will be stuck with this same authority and they will be stuck with this same debt. It's really a potentially disastrous situation financially when we're talking about a billion dollars in debt.

All that having been said and I think a lot of other members of Council have made a lot of good points, the problem is when you sit down and you analyze what procedures have been followed by the county to this state, there is just no legal authority that we can hang our hat on to seek an injunction, at least at this point in time. That's why the motion to reconsider was made.

I think some of the other things we can do and we have been doing. We have a public hearing scheduled for tomorrow at 2:00. I hope anyone that wants to speak out will come in tomorrow. They need to call the City Clerk at 255-2138 if they wish to be a speaker. We're also trying to get word to the FAA. I know a lot of other elected officials also are doing the same thing, asking the FAA to not to approve this license transfer.

Finally, County Controller Frank Lucchino has been very outspoken. I appreciate Councilman Onorato speaking with him about what his plans are. If he ends up in litigation, I think we've all discussed the fact that we would intercede as a friend of the court or (inaudible) in any kind of legal proceeding.

All that having been said, at some point here I'm going to make a motion to table this for the time being unless there's other discussion from other members of Council.

Mr. Ferlo:

I don't want to reiterate all the issues that brought us to the point of wanting to intervene legally. As many in the public know, certainly law is not always justice. In this case, that has particularly to do with a basic procedure of whether or not we can intervene and get at least a court of law to hear our complaint and our issues. In that respect, I think the strategy of retaining, as I would urge that we do, that we maintain and retain Mr. Kamin and his group, legal advisors and counsel to this City Council. I think he has a number of skills and I think he's a good individual to offer us legal guidance.

I think, hopefully, at some point, given the opposition that the County Controller has both to the lack of due process and to substantive issues, some of which have been discussed by this Council and Mr. Hertzberg in particular. Given the fact that he has better legal standing, and at some point, given his opposition, he will be probably asked to sign or to approve or perform some ministerial function relative to his duties as the County Controller. It may cause at some point some legal action.

I would also urge that we file a friend of the court brief and do whatever we can do to legally argue the concerns that this Council has articulated over the last several weeks. I think we should prepare -- I reiterate my request to ask the former chairman of the board, Mr.

Foerster, to appear and speak at the public hearing tomorrow as well as other key individuals.

I think it's clear what's happening, as I've stated several weeks ago. Not only were they going to create the Authority, move hastily to transfer assets on a whim regardless of all kinds of fiduciary issues which should be addressed from control to an inventory of what the assets are to what the outstanding liabilities are, transferring assets to an authority, while we at the county level and the city keep the liabilities. There's a whole bunch of issues that are just being ignored including collective bargaining agreements to the police and fire at the county level. Certainly they have clear legal standing.

I would urge Council to provide to some input and advice to the Collective Bargaining Unit, the police and fire of the county, because I do think they have clear legal standing. I think the agreement as its envisioned and signed definitely violates the Collective Bargaining Agreement between the police and fire at the county.

I would hope that we would remain vigilant in the next few weeks as we continue to be strong advocates.

What I had said from the beginning was there is a three prong action here by the majority of Commissioners. It was not only creating the authority and not only transferring the assets, but we know what the third and the obvious thing is. That is creating an indebtedness with this new authority prior to midnight, December 31st, when hopefully the new County Executive, Dr. Wecht, and the majority democratic council will think secondly about going with haste to create an

authority and reverse the process and go back to some kind of a due diligence and due process. So, it's clear now that they're moving quickly.

They've already engaged bond counsel and managers and the like to look at floating a major and significant bond indebtedness to create an (inaudible) around the neck of this new authority hoping that it cannot be undone January 1st.

So, to the extent that we can also communicate to the bond counsel market and to the rating agencies of potential legal issues here, I would also encourage us to do that by signature of a majority of Council under the Council President's signature.

Thank you.

The Chair:

I can reassure you there is mounting opposition for this authority and it's growing by the day. There are a lot of potential lawsuits out there in different angles on which you've spoke on some. I think it's very, very important that tomorrow Mr. Foerster, I believe, will be one of the first speakers. We've invited everyone that we think has an interest, borough managers, mayors, council members from other surrounding areas in Allegheny County. We think there's a mounting opposition to this. Whether we legally or morally continue to do what we're doing, at least, we're opening the process.

I just want to make sure that's televised. If it isn't, I'd like a motion to televise tomorrow's hearing.

MR. FERLO moved to cable cast tomorrow's public hearing.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, you've raised this issue as well as other colleagues. I think we should make it clear to the management and owners and stockholders of U.S. Air that our actions relative to the lack of due process and the wisdom and creation of the authority, and even if we were, in the future, to decide that an authority is the best way to manage the operations of the airport which still is an open question. I think a number of us have said we're not necessarily and totally opposed to the notion of creating an authority if there's this due process and if we involve varying levels of interest groups in the construction of what the authority is going to look like, it's composition, it's mandate, public oversight and a whole bunch of issues. So, the jury is still out on whether that's the best form of management group to operate the authority. I think we should make it clear that nothing, at least in my actions or anything in this Council's action, is in anyway suggesting that we don't support the expansion of viable operations at U.S. Air.

To the extent that we can be a supporter in that, whether it be with resources or just lobbying other host communities, including the Beaver County which has a significant number of jobs at the Airport even more so than the City of Pittsburgh proper, I would hope that we

would show a clear sided signal to them that we want to see the cargo operation or any other quality expansion of jobs and business opportunities either with U.S. Air and/or ancillary to the operation of the airport.

Mr. Udin:

There's been so much confusion and discussion around this whole Authority. I think it's important that the public understands what's behind this whole effort. It is clearly a republican strategy to control the assets of the Airport and to use it as a tool, the exact kind of tool for which authorities were set up to prevent. That is, as a tool for patronage and as a tool for manipulation by any elected official who may try to use appointments to the authority to pay back financial contributors to political campaigns. That is the very reason why authorities were established in the first place to create some distance between the political process and the management of the authority assets.

So, the entire purpose is being turned on its head by the republicans, primarily being led by Mr. Cranmer as well supported by Jim Roddy. I think it's important that we look at the specific people who are being proposed, all of them, being proposed for the authority membership and make sure that they pass some kind of ethical conflict of interest screening to determine whether or not there is some (inaudible) reason why they were selected other than the fact that they would make a valuable contribution to the authority.

I certainly believe that is the case for the authority's chairman, Mr. Glen

Mahone, that he is an honorable person and will make a valuable contribution and has the well-being of the authority and the region in mind. I hope it's true for all the rest of the members.

But, we need to make sure that the people appointed to the authority board, if there is going to be an authority to run the airport, do not have any kind of political debts that they are paying off or owing and that the people who are there are there for the best interest of the public.

Secondly, I would hope that the Solicitor can look into the question of what actually the authority, the members of the authority, have prior to January 1st. The authority members, none of them, have any authority until January 1st because that's when their appointments take affect. I don't believe they are authorized to sign any kind of indebtedness or issue any bonds or conduct any business prior to January 1st. If they try to do anything, I think that there needs to be some legal intervention. So, we need to keep a very, very close watch on exactly what's going on with this republican strategy and make every effort that we can to protect the interest of the citizens of this city, this county and this region.

Ms. McDonald:

I'm pleased to see that Councilman Hertzberg is motioning to reconsider this. Last week when we voted on this, I just want to thank Councilman Hertzberg for, at that time, asking for a recommittal so that we would have time to discuss this in Executive Session with legal counsel as a courtesy. The way it goes, if you got the

votes you move on it and that's what happened last week.

The bottom line is we did have a Executive Session and legal counsel was there that Councilman Hertzberg brought in. It was a very candid discussion. So, I am very pleased. I really wish we had have slowed down a long time ago.

I think that there has not been enough public discussion outcry because it hasn't been that obvious to the public as to how it would impact them, if at all it would impact them. It's not evident that jobs would be on the line, it's not evident that things could be opened and closed and, certainly, it was not evident if there would be any movement towards privatization with that independence as an authority. That's what scares me is continuing that movement into too much privatization and, to me, less accountability to the general public.

Again, I'm pleased that we are going to have the public hearing that you called, Council President O'Connor. I look forward to hearing the dialogue there. We received many of the facts and it seems like it falls squarely upon the current County Controller in terms of what can be done to delay or to slow it down a little bit instead of going about it in such a hasty 11th hour.

Personally, I do not want to point fingers at this time. I would prefer to just argue the point based upon the facts. I would hope that the facts would come forward as to what this will look like. Yes, it's a major asset. In fact, it's the largest asset for the county to just relinquish to an independent body. But, we get the facts and we also have input

from people and how it affects them. We talked about the unions, how is it going to impact public safety officials out there, what's going to happen. Again, I just look forward to tomorrow where we will have adequate discussion.

Yes, there's very little that we can do. But, this Council Body, as much criticism as we have taken, it is incumbent upon this Council Body. For us to be criticized for trying to make some action, to do something about it, what would the public rather us do; do nothing? Sit on our hands and say, we can't do anything. I think it's prudent for us to take some action. It shows that we are active, that we are responsive, even if it's outside of our jurisdiction, than to just sit there like bumps on the log and do nothing.

So, I look forward to the meeting tomorrow.

Mr. Onorato:

I just want to reiterate briefly what I said last week because I still think it's a point that gets missed in the discussion of the injunction. That is, I know a majority, if not all, of the members that are being named for this new Airport Authority. They're all great people and I think they do a great job.

I supported authorities in the city in the past. I'm not even here to say that I'm against the authority. I think the point though, that everyone brushes over, at least who I see in the media in the discussion is that we have five weeks from today until a new government is elected, a new home rule form of government, not just people, a new form of government gets elected that was supported by almost

everyone in the media, the new form of government.

Yet, when it comes to probably the biggest decision that's going to be made of the largest asset of this county, no one's saying, wait the five weeks and let the new government decide, let home rule decide, let a new county council that represents every corner of the decide, no, let's ram it through in five weeks and take that ability for that debate to take place with the new form of government.

I don't think that's right and I don't think it's the appropriate thing to do. We have been through this, most of us, through other different types of Administration. I was here when Mayor Masloff decided not to seek re-election and then Mayor Murphy won the election. There was that lame duck session. To Mayor Masloff's credit, she realized that she was going to be a steward of the government through the end of her term and to not put on the agenda any big decisions, like the water authority, like expanding the water authority or any issue like that. She said publicly this should be left to the new administration that's coming in. That's sort of the rules we operate by in this arena on politics.

I don't think this is right. I don't think it's appropriate to do something where you're going to create a seven member board that a new county executive and a new county council cannot get control of during their first term in office. That is not democratic and it is not the form of government that we all support. The authority should be allowed to operate, at least, at the will of the people, the voters and the elected official they put in having the ability to appoint people,

firmed by a new county council and, then, let the authority operate. We're not even getting that option. I think that has been missed time and time again.

As to the issue of the injunction, it was more of an attention grabber, the way I look at it. I think we're doing the appropriate thing today. After the Executive Session, which I believe was one of the most productive Executive Sessions I sat in on, it was very apparent that the individuals that have good standing or standing without question have not filed a suit yet. We should allow them to explore their options.

In specific, I want to make it very clear that the County Controller Frank Lucchino has filed an objection to the FAA and is waiting for a response. I think it is appropriate for us to wait and see what the response is from the FAA.

However, this debate should not be pinpointed down to the issue of either you're for an authority or against the authority. I think it's more about what's fair and what's appropriate government. That is, with an election only five weeks away, why is there this rush to put this authority in concrete before a new government can even have a chance to debate the issue. I say let's wait the five weeks, let the new county executive and the new county council debate this issue. Maybe at the end of the day, the authority is the appropriate way to go. But, one thing you can be sure of with the new county council and the new county executive is that, like this body, there will have to be public hearings, everyone will have a say or at least be able to express their concern, for or against the authority. That hasn't happened. I think it's a shame

because I think the voters are missing out on an opportunity to at least hear the pros and cons of an authority.

The Chair:

Again, if I can summarize, I've had discussions as well as many of you have with the county, state officials and labor officials who are really getting involved now. So, there's a host of options out there. By tabling this certainly doesn't close the door for anything we can do in the future. I think Mr. Udin brought up some very valid points, too.

Ms. McDonald, you mentioned criticism in the media, I realize we have for that stand. But, I haven't been criticized by one person on the street yet. I don't know where you are in your neighborhoods, but all I've heard is keep up the good work Council, you're doing the right thing. This looks like a back door move if I've ever saw one. The people of Allegheny County don't like it.

So, I look forward to a very energetic hearing tomorrow. That's at 2:00 the 29th. Be here.

MR. HERTZBERG moved to table the Bill.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2104:

Report of the Committee on Finance and Budget for September 22, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2022:

Resolution transferring the amount of \$6,000 from Sub Class 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999.--
-(SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2030:

Resolution providing for the issuance of a \$4,119.98 warrant in favor of Laidlaw, c/o Jo Ann White, Concorde Adjusters, Inc., 669 Airport Freeway, Suite 400, Hurst, TX 76053, in settlement of a claim in which claimant's bus was damaged due to a City ES truck March 22, 1999.

Which was read.

Also,

Bill No. 2031:

Resolution providing for the issuance of a \$3,367.00 warrant in favor of Martin J. Yasko, 5051 Orinoco Street, Pittsburgh, PA 15207, in settlement of a claim in which claimant's sewer line was damaged due to City tree roots on February 1, 1999.

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bills.

The bills are now ready for final action. All those in favor of the passage to the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2042:

Report of the Committee on Public Works, Water and Environmental Services for September 22, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2023:

Resolution granting unto The University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, chilled water lines on a portion of the right-of-way of Ruskin Avenue in the 4th Ward, 8th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2024:

Resolution granting unto the Bitz Foundation, 121 Ninth Street, 9th Floor, Pittsburgh, Pennsylvania 15229, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, electrical vaults and mounted lighting fixtures for 121 Ninth Street, between Fort Duquesne Blvd. and French Street in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2025:

Resolution vacating a portion of Almont Street from Spokane Avenue to Santron Avenue in the 29th Ward, 4th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2026:

Resolution vacating 10' Unnamed Way between Oakland Avenue and S. Bouquet Street in the 4th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills is there discussion on the bills.

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably by law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2043:

Report of the Committee on Housing, Economic Development & Promotion for September 22, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1823:

Resolution approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Western Pennsylvania Maglev Development Corp., for the lease of Part of Parcel 2 (Block 2C Part of Lot 300) in the Third Ward of the City of Pittsburgh, Council District No. 6, Bedford Avenue at Crawford Street (parking garage).

Which was read.

Also,

Bill No. 2027:

Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for the implementation/administration of the Housing Counseling Program, and related costs, in an amount not to exceed \$100,000.00, chargeable to and payable from the 1997 CDGB Program,

Department of City Planning "urban League Counseling Program.

Which was read.

Also,

Bill No. 2028:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of \$585,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Main Street Commercial Reinvestment Program. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 2029:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Main Street Commercial Reinvestment Program. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bills?

Mr. Udin:

Mr. President, concerning the proposed lease for the Magnetic Levitation Project. First of all, I would like to request that my comments made on last Wednesday be brought forward and included as part of the record of this deliberation. Secondly, I just want to make a last minute appeal to my colleagues before they pass this legislation on this Magnetic Levitation and request that they reconsider.

The only thing that has levitated in this debate is the insults that have been hurled at the Hill District residents in this brazen disregard for their concerns by the project developers and by some of the members of this Council. What have levitated is the arrogance of the Maglevites and their operatives continuing to push forward and to shove down the throats of the residents of this district a project that they clearly do not want.

Not only has it affected the residents of the district, I'd like to share a brief letter that I received from someone who's not even in the district.

Dear Mr. Udin, although I don't live in your district, I am against the Maglev project. Please realize that a whole group of people in Crawford Square are to become victims of this money grabbing scheme. Is the city going to compensate the residents of Crawford Square who's property values will go down? Also, why does this project have to be in the redeveloped Hill? Why can't it

be done on the other side of the city toward the county direction or closer to the river? Why don't the other Councilmembers fight for it in their council districts if it is such a good project? Lots of places could use some project where parking is scarce, Oakland for instance. It is a blatant case of disrespect and value demeaning of Afro American's quality of life.

We need more and better transportation from Pittsburgh through Allegheny County. I can't even get to a mall without minimum discomfort. To go downtown takes me two and a half hours, it's ridiculous. Stand your ground. If it must be, go to court and get an injunction. My taxes are involved in this hideous greed and outrageous project.

That's from someone who doesn't even live in the district.

Mr. President, this slow motion Maglev fantasy is of Disneyland proportions. It's been pursued for over 25 years and have still failed to achieve successful implementation anywhere in the world. So desperate are some Pittsburgh leaders to attract manufacturing jobs and to redefine Pittsburgh as a technology leader that some of us have become vulnerable to the seduction of the Maglevites and their marketing magicians.

They rolled in former council president Jack Wagner at the public hearing to warn us not to miss out on the opportunities we missed on skybus. What President Wagner avoided, however, was the comparison between the technology readiness of skybus at the time versus the scaving report by the Port Authority's transportation experts who rendered slow

motion Maglev to be technologically unready and unsafe. The skybus comparison could not have been more irrelevant.

Another Disneyland fairytale the Maglevites are (inaudible) is the seduction with \$700 million dollars. Where does this number come from? It's the cost of building a citywide network of elevated trains and privately owned private parking garages which would pre-empt all of the regions proven and approved alternative transportation options if we opt for this, so-called, \$700 million dollar project. We have to understand when we say yes to that project what it is we're saying no to.

So, forget about high speed connection to the airport, forget about a new bridge from the South Side to downtown, forget about a North Shore connection to the stadiums, forget about and the expansion of the East Busway to Monroeville. We're putting all of our eggs into one slow motion Maglev basket, precariously perched atop these 30 foot steel pillars and train tracks snaking throughout our beautiful city. That's what we are saying yes to when we are seduced by waiving the possibility of \$700 million dollars before us.

I want to thank the Urban Redevelopment Authority for inserting a provision which requires the approval of the adjacent community. Although it would have been less divisive if the Urban Redevelopment Authority had required that the conditions were met prior to them sending this lease to City Council. It would have been easier for the Mayor to roll over like an obedient puppy when the union leadership connected with this project and the construction companies connected with this project and when

Mellon Bank connected with this project came calling on him, but he didn't. Instead, he also inserted a condition, that the Hill District community must approve the plan and that the Maglevites must prove that their plans will not pre-empt the city's transportation priorities for the next 10 years.

The condition that the URA and the Mayor imposed on this project that it meet with and gain the approval of the residents, the residents have met and met and met with all of these Maglev representatives. The result of their very thorough studying of this project was what we saw down here at City Council when the members of the Crawford Square Association, both the renters and the homeowners, when the members of the Hill District Community Development Corporation Board of Directors, when the members of the Hill District Consensus Group, all of whom were unanimous in their opposition to Maglev after considering it very closely. The entire Hill District community, with the exception of a few paid hired hands, two or three, are unanimous in their opposition to this project.

Mayor Murphy, your letter of six weeks ago in which you reiterated that the support of the community had not been reached -- the Mayor wrote a letter to Maglev six weeks ago pointing out that the conditions that he spelled out in his letter of December 1996 had not been reached. Not only the condition of community support, but the Mayor had also required them to show that they had financial reserves in case this project failed. The Mayor also required that they demonstrate a formula for payment in lieu of taxes, which they have failed to come forward

with. The Mayor also required that they give evidence that they are not competing with the regional transportation priorities. They have not met these conditions.

Therefore, since they have failed to meet the Mayor's conditions of 1996 which was reiterated in December, we ask that you, Mayor Murphy, do what this Council will fail to do, that is respect the integrity of the Hill District residents. Since the Maglev project has failed to meet the conditions set forth in the Mayor's letter, we urge you that if this Council, against the wishes of the community, passes this bill anyway, that the Mayor will veto the legislation passed by Council.

Thank you.

(See Addendum for comments)

Mr. Ferlo:

Mr. President, I don't know if I'm one of those Maglevites that my colleague spoke about. But I think I'd rather be a maglevite than nimbyite and I think that's all I heard so far.

Mr. Udin:

A what?

Mr. Ferlo:

A nimbyite, not in my backyard. The only thing I've heard from a few opponents that have surfaced today, notwithstanding the eloquence of my colleague, and I'd have to characterize it as petty politics, small mindedness, misinformation and parochial nimbysium; that's all I heard I've heard to date. No one to me from the community has come

forward with one clear objection as to why we shouldn't proceed today. If my colleague would like speak again, I welcome his opportunity to speak again.

The only thing our resolution does today, given the 10 or 11 conditions that are attached to the resolution and we know clearly and the chair of the URA who is the Deputy Mayor, underneath the Mayor, has the upper hand ultimately to lease this transaction. So, as far as I'm concerned, we are voting on a resolution today to allow this project to, at least, get out of the dugout and not even towards first base, but at least trying to go in some forward direction.

There are so many issues, so many questions, so many levels of due diligence and feasibility and viability means test that this project has to meet in the coming months, based on the resolution that we're forwarding today, I don't know how we could characterize this as this is a done deal, it's happening with this one vote. This one vote just allows it to get out of the dugout to proceed with the likelihood of securing vital federal dollars. Dollars which I can, at least, determine to date, are not in competition with other dollars that are available to the Port Authority or that the Mayor himself has said that he would like to secure, whether it be the Mon Bridge, whether it be the extension of the EBA, or whether it be a more immediate transportation corridor to the North Shore, all of which is, at least, presumably on line. Clearly the Administration and the Port Authority has the upper hand in that regard.

I don't see why that has to compete with the ability for us to explore the feasibility and the option and whether or

not this type of technology could, in fact, be relevant in the future for local transportation and the creation of a new and vital industry for this city and for this region.

The only thing I need to answer so far, notwithstanding future oppositions that may come up which I think should be addressed, the only thing I want an answer to so far is the what and the where. When you look at the what as the information that's been presented by the proponents and you see all the benefits associated with this level of technology as opposed to the concrete lobby that's out there who continually makes us build unnecessary roadways and byways to nowhere on the hope that there's going to be economic development. When you look at all the proponent's comments regarding the pluses of this technology from its level of costs and operation to the cleanliness and the environmental issues to the fact that this will be a free transportation system as opposed to the paying the piper now on the port authority transient and the like. The proponents hope that this will be a system for the new millennium that will move progressively toward providing free transportation in and within certain critical corridors of the city within downtown, downtown to North Shore, downtown to Oakland is a vital hub, downtown to the Airport hopefully and conceivably and eventually.

That system would be built on the financing capabilities of intermodal, large parking garages that will help sustain the debt service for this operation as well as a commitment back to City Council of tax money deferring back to the development project itself. This is something we've done for 15 other major economic development initiatives in this city.

So, I don't think that there's anything unusual there. But, the notion that somehow all these things have been decided and everything's going to be done tomorrow is just not the case. I think the resolution should be supported to at least allow this organization to go forward.

Look at the who. I believe that the individuals involved, both the personalities and the companies that are represented, we see over 25 major companies locally including significant members of the building and construction trades union who are putting their own financial pension money up to sustain the viability, the financial package, that's needed. These are companies that are not just fly by night fulton folly companies. These are major corporate stakeholders in our community, they are major employers, they are major investors. They've spent a lot of time in research and development. I don't think on a whim they would commit resources and time to something that doesn't seem logical or doable.

I think we need to show some good faith there and allow this to proceed. To this date, I don't know what the objection is for some homeowners on Crawford Street who actually will be looking at something much lower, at least in terms of view, and something much cleaner than a dirty surface parking lot that is there right now.

I don't know where this notion came in -- are we going to turn over the whole city to every neighborhood to run and to dictate what the highest and best use is of property? I would hope not. I think we need to involve the community as a key player. I think we need to hear their concerns and address their concerns.

That's been the history of this Council. Every time we've had controversy and adjoining property owners of neighborhoods have raised significant objections to their quality of life regarding a new development, we have tried to address them. I would hope we would do nothing less than that for this project.

So, I don't know where all this opposition is. I certainly haven't heard it. I don't know what the substantive opposition points are. I haven't heard it. I think we should proceed and show some good faith to these companies that these working people have gotten together to show so much interest and potential to developing a new industry here.

Ms. McDonald:

Last Wednesday I abstained because I asked for information that related to the lease. As Councilman Ferlo had talked about, this piece of legislation that is being considered for a final vote, is not the overall project nor a done deal. In fact, it is so preliminary it's pathetic. In fact, I'll read a response from the URA. They did respond with the information that I requested.

The request to City Council is for authorization to enter into an agreement to lease the subject parcel to the developer. It does not give an okay for the project, it's only to start the process of drafting a lease. Further it goes to say, the terms and conditions that had been talked about will be developed and finalized as the developer proceeds with satisfying the conditions for approval of the project.

The terms and conditions could be a stumbling block, but those are things that

if the developer really wants to see this project fly, they're going to have to satisfy the conditions and guidelines that have been put out there. They have hoops to jump through yet. This only allows them to try to jump through them. Whether they will or not, I don't know. But, it at least allows them to try to jump through them.

Secondly, it allows them to at least try to come up with the money. They may, they may not. I don't know, it's up to them. But, again, it's not the final end all to this project.

So, I did have my questions answered. Yes, it is a condition that there be some type of consensus, some type of satisfaction from the Hill District in order to execute the lease itself. That is the hoop that must be jumped through. This legislation only allows them to, at least, be on some type of platform to try to jump through that.

Through the public hearing, I listened to pros and cons. I was a tad disappointed that I didn't see more of grassroots effort. In fact, I thought with a project of this large that these Chambers would be packed with the thousands of people that live on the Hill, to say no. But, indeed it wasn't. We had four or five people speaking. As I go back, as I thought about it, I said is that enough?

As I went back through a project that was attempted in Homewood with a recycling facility, an expansive one to be developed. I even went as far as traveling to Philadelphia to see this company's facilities there to see how it operated. With me went people who were more knowledgeable on the recycling end of things. But, the bottom line is, I had

petitions, I had more people, hundreds of people say no, no, no, no, no. The neighboring municipality lobbied me to say go ahead with this. But, the bottom line is I had to weigh it out and the weight tipped as to a no. It never came up to a vote. Basically, the developer had the good sense to listen to the people in the community because it was so vociferous, it was so expansive, the opposition, that they said no and it was done. It never even hit this Council table for us to even deliberate on. It was squashed right then and there.

I said last week I abstain. Today I said I was going to vote yes or no. Well, today I'm going to vote yes.

This is a veto proofed piece of legislation. It has six votes. If the Mayor vetoes it, there are six votes will override the veto. This is a done deal; it's done. There are six colleagues that are going to stand their ground and say yes to this. Politically thinking I think it would be full (inaudible) for me to see this type of -- it's going to happen and not maintain a branch for the people that live in our communities. The African Americans that have been disenfranchised from employment, from contractual opportunities, from a multitude of economy development, this is a difficult vote. But, I'm dealing with reality, not philosophy, not a pipe dream; I'm dealing with reality. The reality is it's here. There are six votes.

So, instead of that, I am going to keep a bridge open. I expect to meet with those guys back there in the audience and I want to know what they're going to do about employment, I want to know what they're going to do about economic development, I want to know what are they

are going to do to reach out into the community as they go along this process; I want to know. I will hold their feet to the fire. They will be accountable. Because if you have a done deal, it's like, you may consider it a lemon, I don't know that's debatable. But the bottom line is whoever thinks it's a lemon, it's incumbent upon elected officials to make a lemonade. So let's get something out of this for the people.

I am going to keep the door open and I am going to keep the bridge free and clear because I want opportunities made available for those very people that it impacts upon. Indeed more people even outside that immediate community. This is why I'm voting yes and we will be meeting.

Mr. Onorato:

I just want to reiterate again my support and why I'm voting yes today.

This is all about federal money. We're being told anywhere between \$700 and \$750 million dollars is being allocated for this type of development technology and the possibility of having it started here and then grow here. I've always had my doubts when I hear that kind of money coming from the federal government into Western Pennsylvania.

My concern is that if this Council should reject the first leg of this entire project that we would give the federal government an excuse to divert the \$700 million dollars away from Western Pennsylvania. You might want to say that I'm calling their bluff, but I want to send the signal that we want to try the technology and we want to try Maglev

contingent on the \$750 million dollars coming to Western Pennsylvania. I've been told over and over again by individuals that are part of the project and from certain elected officials that the money is in the budget and that the money will come here.

The only thing I can say if we vote yes today and the federal money does not come, you're not going to see anything happen here because you can't do it; we're talking big money. I remember when this city, just a few years ago got \$3 million dollars from some federal money and other cities were getting several hundred million.

The time for us just getting the crumbs from the federal government are over and we have to hold our federal elected officials feet to the fire, we can't put a road block up or an excuse of why the money didn't come here, we're doing what they're asking us to do. We're hearing from Mr. Schuster and other representatives that have influence in Congress wanting to know if you want this Western Pennsylvania we have this line item and if you want it let us know.

As far as I'm concerned today's vote is a signal to the federal representatives that we want the money. We want to try to do this technology, we want to try to deal with mass transit. We want the federal grants to come into Western Pennsylvania. I still question if it will get here. I sure hope I'm wrong and that what they're telling us is true that we'll get that kind of money. If \$750 million dollars comes into Western Pennsylvania, there's a good chance that this will get up and running. I want to see the money come here. I'm looking

forward to the federal representatives explaining to us when it will get here.

Don't forget, in the resolution itself there is an amendment that we put in, colleagues, Section 2, that Council retains the right to rescind the proposal if all, I want to stress "all", the necessary approvals are not met within 18 months. That language came directly from the URA's requirements. Now, we have it and they have it.

So, over the next 18 months, I think we'll have a pretty good handle on if the federal money is coming to this region or not. At that point, if it isn't coming here, I think we should have a serious debate and review the whole plan, overall.

Thank you, Mr. President.

Mr. Hertzberg:

When this came up for a vote on the Board of Directors of the Urban Redevelopment Authority, my vote was no. My vote today will also be no. I really have not been presented with any information that changes anything in my mind as to where the state of things are today, as to where they were when we reviewed this, the Board of Directors of the URA.

I want to be clear about one thing. I have no problem with the concept of Maglev Technology moving forward and advancing. I think it has the potential, the slow speed Maglev has the potential to be a good form of mass transportation. The problem is it just is not in a state today that we can say that. There's no doubt about it. I think even the proponents of Maglev acknowledge that. If everything were in

place today, we could not do this project today; it's not ready. There's still research and development needed. I'm all for continuing the research and the development. Whatever funding we can obtain whether it be from the federal government transportation funds, whether it be from foundation dollars, let's get it into that. If we can do it locally, I think that's great. If we can add jobs, I think that's great, too.

The problem with this legislation, though, is it specifies where we are going to place this Maglev project. If we're still in the research and development stage with it, why are we taking this particular location one that is in such a prominent part of Pittsburgh for this project. I just have never received a satisfactory response to that.

On top of that, we have the adamant opposition of the Councilmember who's district this is going to be located in what's now a council by district City. I have to take that seriously. I hope my position in projects that uniquely affect my district will be taken into account as well in the future. I'm saying that we have to draw a line, but that's just another factor in this whole issue that for me means a no vote.

The Chair:

The bills are now ready for a final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

(Mr. Hertzberg and Mr. Udin voted no on Bill 1823)

The bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 2044:

Report of the Committee on Engineering and Construction for September 22, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1994:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the renovation of Carnegie Library Branches for disability accessibility and for the purchase of equipment, materials and supplies for said projects; at a cost not to exceed \$225,000.00, chargeable to and payable from Account 600000, Fund 2610, Org

301000, Sub-Class C1999, Project/Grant 2221444, Budget Year 1999.

Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bill?

Mr. Hertzberg:

I think we had a very good discussion here with the Director of the Carnegie Library Herbelish on Wednesday. I've been very glad to hear that he's kind of changed his perspective on this whole issue. I think when he first took over as the director he maybe wasn't as well informed as he should have been and he's acknowledged that.

Now the Carnegie Library, under his leadership, is in the middle of doing a comprehensive on the different neighborhood libraries, examining each one, gathering together input from the users of the library as well as community leaders to try to determine if these are the best locations and the best facilities for those buildings.

I had particular concern about the West End branch. I think once we go through this analysis in the West End branch, we're going to find out that this is the best place. I think even the director has the same feeling as I do. He has agreed that once the determination is made that the current locations and the current facilities are the appropriate ones, that the library will move ahead and make every accommodation possible, under the American's with Disabilities Act, to

accommodate everyone in each library branch throughout the City of Pittsburgh. He will endeavor to try to retain as many of the architecturally significant features as he can and I appreciate that, too. If we can find a way not to cause any problems with those architectural features, I think we should.

I'm happy to move forward on this. I'd ask that my comments be brought forward from last Wednesday's meeting.

(See Addendum for comments)

Mr. Ferlo:

I just wanted to thank Director Herbelish who appeared last week as my colleague, Councilman Hertzberg, pointed out.

I personally learned a lot from his presentation to Council about his goals and objectives and what I would characterize as really kind of a breath of fresh air and a new mission for the Carnegie Library. I was really impressed with his (inaudible) and his enthusiasm about what the library system can be in the future, including the neighborhood library system.

Accordingly, I would like to suggest that we ask the Director and his key staff to attend one of the budget deliberation sessions of Council and kind of give us a year end update of the library system, what's hoped for and planned. He had mentioned specifically a request back to the RAD for some needed equipment. He said it was less than \$4.00, some ridiculous amount of money, for purchasing equipment and supplies.

I would like to ask that we consider bringing him back with his staff at the year end during one of the budget sessions to give us an update on the library especially as it relates to the neighborhood library structure.

Thank you.

Mr. Cohen:

I just wanted to add to that. That is it was also refreshing to hear from Director Herbelish that the library will be doing private fundraising which they need to do. Andrew Carnegie did not leave an endowment for these libraries. Even though they're now a regular receiver of money from the RAD, it's not enough to really restore the library buildings to the appearance that they need to have. So, private fundraising is necessary. It's being done in many other cities. I'm glad to hear from Herbelish that it will be done here in Pittsburgh.

The Chair:

Again, I want to thank you and Mr. Ferlo and especially Mr. Hertzberg for your involvement with the libraries and the Americans for Disabilities Act. You certainly helped us to champion Council for those very, very strong initiatives and it's very important.

If there is no further discussion, the bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Onorato	Mr. O'Connor

(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

The Chair:

Under Motions and Resolutions,
Mr. Ferlo.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Two things very briefly. First of all, I'd like to apologize to my constituents a head of time for a public reading tomorrow night at the library regarding Ellen Ginsberg's poetry as part of a band the books week.

Having said that, I also want to go back to another issue. Several of weeks ago, Mr. President, I raised and Councilman Diven has raised and other colleagues this issue of the TIF, Tax Increment Financing, specifically the 10 percent issue that's come up that Councilman Diven and others have raised.

I asked specifically for a legal memorandum or a policy memorandum regarding the issue of the 10 percent. We have, at least, three TIF's that are floating

out there. One which has already the School Board to be upset, I believe it's the Gimbels TIF, I think there's a North Shore one that's under discussion, the Station Square and the Gimbels and there may be several others that maybe we're not even aware of.

I am very concerned that we resolve two things. One is a clear explanation about this 10 percent issue. Secondly, I have raised in the past and I loath to vote any more TIF's. Because if we reached the point where we're going to about cap the ability to do TIFing, Tax Increment Finance proposal, I want to first have this Council debate a policy about whether or not we can create either a residential or a neighborhood/commercial TIF to provide some counterbalance to the disproportionate dollars that we've allocated or foregone revenues from for major development projects in and around the downtown corridor. So, if we're about to close that window on the 10 percent for the TIF's, I'm not going to vote for these other TIF's, I'm just putting it out there right now, until I know what that 10 percent issue is and whether or not we legally have the ability to do a residential TIF citywide in key neighborhoods for each district and whether or not we can do a neighborhood/commercial TIF to recommit ourselves to the smaller business community along the neighborhood business corridor.

So, until those two issues are resolved, I'm just making sure right now to the Administration so call on me and don't accuse me of being obstructionist or a bad guy, but I'm not voting on the North Shore or Gimbels or Station Square or even anything in Lawrenceville or district 7 TIF until I get those issues resolved.

Thank you.

The Chair:

Next week, I'll be coming to you with a financial plan to, finally after quite a long time a legislation that Ms. McDonald and I have worked on and Council approved, a TIF study with CMU and some other people. I apologize but it certainly wasn't our fault, but getting the money --

Mr. Ferlo:

You're misunderstanding my question, Mr. President. I'm not putting the ownist responsibility on this study, that's great.

What I'm saying is that the Administration themselves and all the wissory in the finance and budget office, they're supposed to let us know what this cap is. They're the ones who have to be concerned about meeting the state guidelines and what the revenues are. So, I don't think it's an unreasonable question.

I hope they do the math a little bit better than they did on the back of an envelope as was eluded to by the illustrious budget director this morning in the newspapers regarding the computation of the player's tax. I'll let them have a calculator. We have these calculators that are in the building.

The Chair:

I agree and I think most of our colleagues agree that the TIF's -- we're all on the border of drawing a line in the sand and I don't believe we want to do that.

But, we certainly want to make constructive votes in the future and that's what that's about. Also, I would recommend putting the residential TIF part into our study, too, to see why that isn't available. I know every time I mention a local TIF, it's like we can't do that.

Mr. Ferlo:

The City of Chicago has a resident TIF. If they could do it, we should be able to do it.

The Chair:

I agree.

Anything else under Motions and Resolutions?

I have a couple of announcements. Tomorrow we have the post agenda at 9:30. It will be cable cast about employee trained programs with Barbara Parees. It's more of an informational for all of Councilmembers and for the public.

We have a pre-agenda interviewing the Housing Authority appointment. Tomorrow afternoon is the Allegheny County Airport Authority public hearing.

Thursday evening we will have a 6:00 p.m. public hearing at McKelvy Elementary School concerning Bedford Redevelopment proposal. The reason we are having it in the community is we doubled back and the people who came down for that hearing had to go back home. We apologize for that. It was an inconvenience for them so we're going to take that public hearing to them to make it a little easier on their attendance. It's concerning Bills 1754 and 1755.

Ms. McDonald:

Mr. President, you did say that the McKelvy public hearing was Thursday?

The Chair:

Yes, Thursday, September 30th at 6:00.

Can I have a motion to approve the minutes?

MS. MCDONALD moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

ADDENDUM

Mr. Udin's comments on Bill 1823 can be found in the Standing Committee Meeting minutes of September 22, 1999.

Mr. Hertzberg's comments on Bill 1994 can be found in the Standing Committee Meeting minutes of September 22, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, October 5, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. O'Connor
Mr. Hertzberg	(Pres't)
Ms. McDonald	

ABSENT:

Mr. Udin

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

This morning we're honored to have Melinda Galazy, who's Miss Bella Italia. Do you want to please come up and

lead us in the pledge? She goes to Point State College. I guess you're winding down your reign as this year's queen. You've done an excellent job.

Melinda Galazy:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you, Melinda. We have a gift for you on behalf of City Council.

We have many special guests in the audience. Councilman Diven, do you want to bring yours up first?

Mr. Diven:

At this time, I would like to call up Elaine Caporelli who's with the Pittsburgh Bureau of Police Volunteers.

It's a great honor to recognize the volunteers that work with our Police Bureau and either blockwatch or community relations programs. Elaine runs programs that helped coordinate that effort. I believe there's a recognition dinner this week where we're going to present this proclamation. But, we wanted to read it into the record.

With that, I'll read the proclamation and ask Elaine to talk about

some of the great work that she's doing on behalf of the City of Pittsburgh Police Bureau.

PRESENTATIONS

MR. DIVEN PRESENTS:

No. 2108 WHEREAS, Pittsburgh has been recognized as one of the safest major cities in the United States and;

WHEREAS, the low crime rates in Pittsburgh are the result of the close working relationship between the Pittsburgh Police and the residents of the City of Pittsburgh and;

WHEREAS, many Pittsburgh residents selflessly volunteer their time to support the Police Crime Prevention and Community Police efforts and;

WHEREAS, the Pittsburgh Police will recognize two hundred twenty (220) volunteers who have donated countless hours of their time in all six of the City's Police zones tonight at the Greek Church on the North Side.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the efforts of the citizens who volunteer their time to support the operations of the Pittsburgh Police Bureau.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, October 5, 1999, to be "Pittsburgh Police Bureau Volunteer Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

Do you want to come up and talk about some of the great work you guys are doing?

Ms. Caporelli:

Good morning.

What Councilman Diven said, over 220 individuals throughout the city, businesses and organizations, will be honored tonight at the Greek Church on the North Side, not only from the City of Pittsburgh Bureau of Police but also from the Pennsylvania Commission on Crime and Delinquency in Harrisburg. Most of those individuals will be attending tonight's ceremonies where Mayor Murphy and Chief McNeilly will be handing out appreciation awards to say thank you to these people and to tell them that they are grateful for their efforts in crime prevention in their city neighborhoods. That's what we'll be doing tonight.

We extend an invitation to the Councilmembers to join us this evening at 7:00 at the Greek Church on the North Side.

Thank you.

Ms. McDonald:

Would Earl Jones please come forward. Earl is there someone else who

should come with you? We have with us Earl Jones and Andrea Burner. I'll read the proclamation.

MS. MCDONALD PRESENTS:

No. 2109 WHEREAS, Earl V. Jones, Sr., has committed himself to "Peace on Earth", organizing numerous events and activities designed to teach children and the general public the importance of brotherhood and peace; and

WHEREAS, during the summer Mr. Jones welcomed the International Peace Run to our community with a special event at the City-County Building, where local supporters greeted the runners, held a special peace torch and offered a special peace message for the millennium; and

WHEREAS, the Peace Run is the largest public event of its kind, a 77,000 mile event in 120 countries, including an 11,000 mile continuous route in the United States with visits to all 50 states.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Mr. Earl V. Jones, Sr., for his commitment and dedication to "Peace on Earth", hoping to change the world by example.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Earl's no stranger, of course, to the City Council Chambers. We appreciate all the efforts that he has made in terms of promoting peace. In fact, he's been here a number of times, but there's never enough time to promote the fact that we need peace. I don't know how many times I go home and the first thing I want to say in my house, please let there be peace, mommy doesn't want to kill anybody; let there be peace in this house.

Again, thank you Earl for, at least, spreading the whole notion of peace throughout the City of Pittsburgh; in fact, throughout Allegheny County. Without further ado, Earl, if you could come forward and bring some remarks.

Mr. Jones:

First of all, I'd like to present Andrea Burner. Her and her husband gave us permission to have a weightlifting contest between Tom Flaherty and Jim Ferlo against the strongest men in the world bench pressing. I'll tell you a little more about that after I present Burner.

Before I came here yesterday, I seen her husband in the Giant Eagle. He said to me, I really love my wife. I said, well what do you think about your mother-in-law? He said, I love her, too. So I think that's quite a compliment for the gentleman that said that.

Ms. Burner:

Thank you, Earl.

I would just like to say a few words. We at GBC Barbell and Deb's Body Shop and Peace on Earth Jamming, Earl Jones, would like to present

Councilwoman Valerie McDonald with this bouquet of roses for all her support of the Peace on Earth campaign.

Ms. McDonald:

Thank you so much.

Ms. Burner:

We would also like to acknowledge Gazanski's Restaurant on Murray Avenue in Squirrel Hill for all the food and refreshments donated at our recent power lifting event held at GBC Barbell and Deb's Body Shop to benefit six year old Aaron Dougherty. I would also like to give a special thanks to Earl Jones for giving my husband and I the privilege to be the host of the wonderful event. It was a great experience for my husband and I and our family.

Thank you.

Mr. Jones:

I'd like to read a few things off this card. Because there's so many people to thank I know I'll forget it. But, I'd like to have one of these gentlemen help me hold this peace flag if they would just to show it to the audience.

The originator of this peace campaign was myself and the late Patrick Maclamier (Phonetic); he's deceased today. This flag was made to honor all people, every person on earth; their colors are represented in this flag so we represent them. What I would like to say is that there's only three of these flags in the world. One I gave to the President of the United States at the Peace Summit with (inaudible). I had the honor of being there. When I went into Russia with my

campaign, I succeeded in passing the United States President. I was there six months sooner than he was having a peace campaign.

The first campaign I sent money into Russia. It had one quarter million in contestants. Also we left -- Pat Maclamier said to me in order to start a peace campaign you need to get the Public Safety Departments together and I'll join you. Well, we did that. We also got together the Masons, Knights of Columbus, Prince Hall Masons, the Public Schools, and the Catholic Schools.

It's recognized today they say by 11 million people around the world. Some of the people I would like to recognize is the departments here that gave me permission to have a display in the lobby and all their employees. Also, I'd like to recognize three people that's been with me for a long time, Steven Zappala and National City Bank and Jim Roddy. They supported me when there were none of their campaign's going. What I would like to say is I would also like to thank City Council and the Mayor. Most of all I would like to thank all of the employees of this building because with their smiles and their encouragement these peace campaigns go on.

But, what I would like to do now is present two of the lifters that defeated our power lifters. The reason they were defeated, Tom Flaherty, would you come up here please, and Jim Ferlo, they beat the strongest men in the world. So, I'd like to have Tom come up and say a few words while I get their trophies. The District Attorney Zappala disqualified him. The power lifters were so grateful they want to show their appreciation by giving

them both a gift. So, as Tom talks here I'll get their gifts.

Mr. Flaherty:

I just want to appreciate my heartfelt thanks for Earl Jones. It's always an honor to appear in front of my colleagues in City Council. But, as I said about Earl, I've known Earl now for probably 12 or 14 years. Throughout the entire time, he's always been foremost in his commitment to people. He's certainly an individual that I know all members of Council, as I'm sure people throughout the City, are truly amazed by his tenacity and his persistence in always trying to help numerous charitable causes. May they be the youth of our city, trying to help them out with their teams or the athletes or the senior citizens or the pet population, I've known him through all these.

As Earl said, I and Jim Ferlo and Steve Zappala had a grand opportunity the Sunday before last to help Earl raise a few thousand dollars for a small girl who has some physical problems. She was there with her family. Earl had a couple of hundred people there.

As Earl said, Jimmy and I were up against the world champion power weightlifters from this area. Because of the spiritual intervention of Earl for all the good deeds he's done and also being fortunate enough to have our great District Attorney Steve Zappala as judge, Jimmy and I were proclaimed the winners. It felt good for Jimmy and I to finally win something. We were outside of City Hall, but the cause was a very noble cause and it was truly in conforming to what Earl Jones is all about.

Thank you very much, Earl.

Mr. Jones:

Being there's no hard feelings for those powerful men in the world, I couldn't give Jim Ferlo roses. So, I had to give him one of these little dolls with the roses. This goes to Jim Ferlo. Being that me and Tom Flaherty were friends from way back, I can present him with a blue ribbon. This is an antique Papst blue ribbon, first place.

Mr. Flaherty:

Here I thought he was getting Jimmy Ferlo with that cigar-chopping politician and then he gives me a Pabst blue ribbon. We won't go there Earl. You notice the only one he treats with real respect is our great Councilwoman Valerie McDonald. Of course, she's worked with him all those years in the peace movement. Earl and I have had a little more (inaudible) relationship, weightlifting and beer drinking and all that good stuff.

Thank you very much, Earl. Some day we'll hang this.

Mr. Jones:

One thing I would like to tell them. My friends Tom and Jim Ferlo, there was a little girl that was paralyzed from birth. We tried to get her a thousand-dollar bond. With Tom Flaherty and Jim Ferlo's help, that little girl is paralyzed today with a thousand bond. So, I have to give them credit. Besides, when I kid with him, he's a serious friend of mine.

Thank you very much.

Mr. Cohen:

Mr. O'Connor while they're taking a picture, I know we've just had some fun, but I think that City Controller Tom Flaherty and Jim Ferlo need to be commended. Because they really showed their love and commitment for public service beyond doing their jobs by really raising money for those in need.

The Chair:

Controller Flaherty we want to again thank you and welcome you to Council Chambers. I know Jim Ferlo has actually done an arm wrestling contest and Earl keeps him pretty busy. Also we are honored to have Kathy Baker-Knoll, former State Treasurer here. Welcome to our Chambers, Kathy.

Mr. Onorato:

Councilman O'Connor and I decided to read both proclamations at once. So, we want everyone associated with the parade and with the Sons of Columbus, why doesn't everyone come forward now. I'm going to read as they're walking forward the committee for the Columbus Day Parade, Guy Costa, Mike Acquaviva, Marlene Rende Cassidy, Cathy Fusca, Linda Buccina, Anthony DiNardo, Mary Procopio Hertzberg, Miss Bella Italia Melinda Galazy, and Katherine Baker-Knoll. Everyone come forward, please.

The proclamation I'm going to be reading is for the Columbus Day Parade. Then you're going to have another one from Councilman O'Connor for the Sons of Columbus.

This is Italian Week in the City of Pittsburgh. It's all coming to a head Friday, Saturday and Sunday, this weekend. There's an event each day.

MR. ONORATO AND ALL COUNCIL MEMBERS PRESENT:

No. 2110 WHEREAS, the 15th Annual Pittsburgh Columbus Day Parade and Festival will be held on Saturday, October 9, 1999; and

WHEREAS, the Columbus Day Parade and Festival Chairman, Guy Costa and Parade Director Art Trunzo and the Columbus Day Executive Committee have again worked hard to assure an exciting, entertaining, and musical event commemorating the discovery of America by Christopher Columbus in 1492; and

WHEREAS, the Columbus Day Executive Committee includes: Mike Acquaviva, Hank Blum, Linda Buccina, Marlene Rende Cassidy, Sabrina Corradetti, Anthony DiNardo, Tony Ferraro, Cathy Fusca, Mari Procopio Hertzberg, Guy Mattola, Joe Natoli and Mike Tarquinio; and

WHEREAS, the Columbus Day Parade Grand Marshall is a renowned Pittsburgh heart surgeon, Dr. Ronald Pellegrini, who is being honored for his dedication, commitment and generosity to the Italian community and the City of Pittsburgh; and

WHEREAS, the Columbus Day Parade and Festival will include Jimmy Sapienza & Five Guys Named Moe, the "Mummers" Italian American String Band from Philadelphia which includes marchers, dancers and strutters and the

Italian Sons and Daughters of America sponsored I Campagnoli and I Piccoli Campagnoli; and,

WHEREAS, the festival will continue at Point State Park and feature Italian food, costumes and entertainment.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby extend its thanks, appreciation and well wishes to the Columbus Day Parade executive committee; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, October 9, 1999, "Columbus Day Parade and Festival Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I turn it over to the Chairman of the Parade Committee, I do want to invite everyone to come out for the parade. It's always an exciting time in downtown and it goes on all day. It's more than a parade; it's festivities after the parade. If I understand it the weather might be fairly warm this year. We look forward to seeing everyone there.

Again, this is one of those days we're celebrating, on this particular weekend, the Italian heritage in the City of Pittsburgh. But, the ethnic make-up of this area, we've always shared each other's

celebrations and the invitation goes out to everybody. As we say, everyone's Italian this weekend. Please come on out and enjoy yourself.

I'm going to turn it over to Guy Costa. Guy, if you want to explain, I think there's route changes here.

Mr. Costa:

On behalf of the Pittsburgh Columbus Day Parade and Festival Committee, I want to thank City Council for all their support. I also want to thank the City Administration for everything they've done for us.

Right now, I'm going to turn the microphone over to our Publicity Director Mike Acquaviva and Mike can give you and update of where we stand with the parade, the route and so forth.

Mr. Acquaviva:

I wasn't really going to say anything about the parade.

Every year we have what we call our Italian Day Parade which is a salute, not only to Christopher Columbus, but all ethnic groups. I think the greatest thing about the ethnic migration here including the Italians and everyone else was their parents had the real values and not what we hear some politicians say about values. But, the values to achieve to take the hard knocks in the first and second generation in order that the other generations can succeed.

Dr. Ron Pelligrini is a great example because we get a large article on his life. I did the interview. Dr.

Pelligrini's father died when he was in medical school. His brother went to work, turned the paycheck over to the mother, 81 years old who's still living by the way, and supported the mother and Dr. Pelligrini while he did his residency. The good doctor has done something like 12,000 heart surgeries and he's well known and he's our grand marshal.

I just want to remind a few things here about Christopher Columbus. He did discover America, it's a fact. You can ask Frank Lucchino who was the first person who started the parade. If that's not good enough, Sal Sirabella he was our second chairman. Ask Guy Costa if you want, he's our third chairman of the parade or Steve Zappala, he'll find something to convince you that Columbus did. If that fails, you can ask my grandfather, he's dead. He would confirm as all immigrants did that Columbus was a symbol.

Columbus discovered America in 1492, I had to read it because I forgot. He actually was hired by Queen Isabella who didn't sell her jewels by the way. The money came from, and believe this, a Jewish organization in Spain that convinced the Queen to finance the trip. So, it was a commercial adventure but Columbus did have this adventurous spirit. He has one foot in the middle ages and then one foot in the renaissance.

He made four trips to the new world. Unfortunately, on the forth trip, he sent a fax back to Isabella and said no one here speaks Chinese and he determined he was not in China. That's where he intended to go. In fact, had he kept the route that he sent out, the navigational charts, he would have hit China, that's how accurate he was. He underestimated

however the circumference of the world by 9,000 miles. That's the only mistake he made. If he hadn't run into (inaudible), he'd been stranded out in the Pacific someplace and the peanuts would have run out. And he would have sunk and died and everyone back in Europe would have said well the Earth is flat and forget about it and we may not have known about America until 1975 or something.

So, this is true. America (inaudible), another Italian, came over and discovered Brazil. He sent a fax back to Isabella and said this is a new place. So, that was when America was decided that this was a new world.

One other Italian that I'll mention and then I'll let you go. The first person to discover North America up in Newfoundland, was Javoni (inaudible). Another Italian who worked for England, his name was John Cabin.

So, the Columbus Day Parade is really a testament to the integrity, to we're going to make it. Like Columbus, a lot of the immigrants came over and didn't know where the hell they were going and didn't know what they were going to see when they got here, but they applied what they had.

Honest to God, this is true, they came over with a bag of cookies. The Italians had this cookie they made that lasted for about four years. That's what they ate on the way over. My mother still has some. They also had their suitcase. But, the most important thing they had was their values. They came over and said we have to maintain the values of our family and that's going to sustain us and it did.

We've had, I think, some successes as you all have.

I'm sorry I've taken so much time, but I have a lot more and I can do that in the basement if you like.

Thank you very much Council. Please do come to the Columbus Day Parade. The Steelers aren't playing on Saturday and there's a question whether they're playing on Sunday as well.

Mr. Onorato:

I also want to point out that Sal Sirabella entered the room, past chairman of the Parade Committee. He does not want to come forward, he wants to sit there. Guy, do you want to explain about the parade?

Mr. Costa:

I want to first thank Mike for that little history lesson, I appreciate that.

Again, the parade is this Saturday. It begins at 11:00 a.m. at the Civic Arena and we will be going down Fifth Avenue. We haven't been going down Fifth Avenue for a number of years and we're excited about the new Fifth Avenue. We'll be going down to Fifth Avenue to Point State Park.

After the parade, at Point State Park we'll be having a festival with food vendors, Italian entertainment, and so forth, the members will be performing as well. So, please come down Saturday to the Pittsburgh Columbus Day Parade. It begins at 11:00 a.m. and it concludes at the festival at 4:00 p.m. at Point State Park.

Thank you very much.

The Chair:

Sal, you don't want to come up because you have a green tie on? Sal from the Mayor's Office has been very helpful not only in this parade but all our parades. Pittsburgh is really known for their parades and it's a very exciting weekend in Pittsburgh. Everybody's Italian this weekend. Even Alan Hertzberg will be on the judging committee for Miss Bella Italia. Come on up with us, your wife's here. You're going to do a go job on judging the contest. This is an exciting weekend. It actually starts Friday night with the Sons of Columbus Banquet. We have Anthony DiNardo. He's the national president of Sons of Columbus and his mother, Marie, is here to accept this proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2111 WHEREAS, on April 9, 1925, three independent organizations - the Italian Workman's Society, Royal Marine Society and the Victor Emanuel Society - merged and consolidated their existing charters into one corporation, the Sons of Columbus of America; and,

WHEREAS, the Sons of Columbus of America, Incorporated, is dedicated to promoting the ideals and qualities as exemplified by the renowned explorer and discoverer of America, Christopher Columbus, and to encourage civic leadership; and,

WHEREAS, in 1958, the Sons of Columbus erected in Schenley Park the Christopher Columbus Monument, which

was later restored under their leadership and organization in commemoration of the Quincentennial Celebration honoring the 500th Anniversary of the Discovery of America in 1992; and,

WHEREAS, the Sons of Columbus of America have established a superior record of public service; and,

WHEREAS, the Sons of Columbus will be holding their 74th Annual Banquet on Friday October 8, 1999. Included in the festivities will be the Fifth Annual Crowning of "Miss Bella Italia". The Sons of Columbus will hold a Memorial Service at the Christopher Columbus Monument in Schenley Park followed by a special Columbus Day Mass at Immaculate Conception Church in Bloomfield; and,

WHEREAS, the Sons of Columbus 1999 banquet is honoring Dorothy Pugliano and Rose Pugliano, in appreciation of their work and dedication to conserving Italian traditions in America.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh extends its thanks and appreciation to the Sons of Columbus of America for its many years of service to the City and extends its best wishes and congratulations to this year's honorees; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Friday, October 8, 1999, as "Sons of Columbus Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Mr. Ricciardi, you're Italian come on up. Since you financed the whole thing, come on up. You're responsible for having us all here. Marie and Anthony could both of you please come up and say a few words? You really do an excellent job in so many things. I know we mention it every year, but as I drive through Schenley Park every morning taking my son to school, I still look at the statue and it's beautiful.

Ms. DiNardo:

It's an honor and a pleasure to be here this morning to accept the proclamation on behalf of the Sons of Columbus. I also want to thank Melinda Galazy for her excellent job as Miss Bella Italia. We're going to miss you, Melinda.

Mr. DiNardo:

Council President and City Council on behalf of, as my mom said, the officers and members of the Sons of Columbus, we accept this proclamation today with great honor. Melinda, you were a great Miss Bella Italia this past year and we look forward to working with you in years to come because you're staying on with us and we look forward to it.

Thank you very much.

The Chair:

Melinda, do you want to come up and say a few words. Tell us about some

of your experiences and I know you have some things planned in the future, too.

Ms. Galazy:

Well, my reign is almost over, but I've had an unbelievable year this year. I just had so much to do with the parades and it's been such an honor for me to be able to represent my Italian American heritage throughout Pittsburgh.

I just wanted to thank the Sons of Columbus and all the people that helped in supporting me throughout the year. I've had a great time.

Thank you.

The Chair:

Kathy Baker-Knoll we welcome you to the Chambers and thanks for all your help.

Ms. Baker-Knoll:

Thank you, Mr. President. You make me feel very honored to be included in this day and to all of the Councilmembers I thank you, too. I have many happy memories of being here at other meetings.

I'd also like to congratulate all of the recipients, the honors, today. It was so enlightening hearing all the things that have been accomplished. Sometimes we just don't give enough publicity to the good things that happen in our area. We just seem to go onto these scandals.

So, I congratulate each and every one of you. You certainly are very deserving. I want you to know one thing

also about this young lady, Linda, she represents you at State Committee and does an excellent job. So, besides representing you here, she does a great job at Pennsylvania State Committee.

I would like to honor Marlene Stanning (Phonetic), who is the mother of our beautiful Miss Bella Italia. I want you to know a little bit about Melinda Galazy.

Melinda Galazy is just not a beautiful young woman. She's very talented, if some of you have heard her voice, you know she has a magnificent voice. She's intelligent, she is now a student at Point Park College and has received a partial scholarship there.

Then, from me I can tell you how happy I am with Melinda. She's one of the young woman in Pennsylvania this year who has started college young democrats at Point Park College. So, I think that's a real tribute and I think it's wonderful. I spend my life trying to get young people involved in the political process. I'm very honored that she has accepted that responsibility and she's doing a great, great job with it. Let's all give her a round of applause.

To all the recipients today, let me say God bless all of you. You've done a great job. This is going to be a great parade on Saturday. I know that you've all worked very well together along with the Sons of Columbus and with Mike Acquaviva who is our PR Director. Of course, we're blessed to have Guy Costa to chair all of this for us on Saturday. You all deserve a great commendation.

Thank you so much, Mr. President, for giving me a few minutes time.

The Chair:

I want to re-emphasize the parade. The media, who can help us out too, it's going straight down Fifth Avenue. I know all the parade routes have changed and actually I think it's a lot better that way.

Would Bob Imperata come up from the Convention of Visitors Bureau. Al Hutchinson come on up. Christine come on up. You have some information for Council we could always use that.

This is perfect timing because we have some visitors from China here about our Convention of Visitors Bureau. We might have some customers.

We really have done a great job, the Visitors Convention Bureau. We're all excited about a new convention. I haven't gotten a date of when we're breaking ground yet, maybe you can tell us that. A lot of people have been asking. It's a very exciting time to be in Pittsburgh.

We're here to honor you for all the awards you've been getting and the outstanding job you've been doing.

MR. O'CONNOR AND ALL COUNCIL MEMBER PRESENT:

No. 2112 WHEREAS, the Greater Pittsburgh Convention & Visitors Bureau, not for-profit, civic marketing organization, has - since its inception in 1935 - in a most dutiful and noble manner, made good on its promise to promote and increase the business of its members and provide for and secure the holding of conventions, conferences and congresses

by multitudinous organizations in the City of Pittsburgh; and,

WHEREAS, the Greater Pittsburgh Convention & Visitors Bureau - the Official Visitor Marketing Organization of Allegheny County - has called upon the peoples of cities, states, and countries both near and far to partake in the vast expanse of culture and history - thus promoting the business welfare of its members herein, growing the revenue of this region, and creating infinite possibilities for Pittsburgh's future; and,

WHEREAS, the Greater Pittsburgh Convention & Visitors Bureau has been honored with thirty-five prestigious industry specific awards in recognition of its expertise in the areas of Communications, Tourism, Convention Sales and Convention Services; and,

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby and with utmost appreciation and sincerest thanks, honor the Greater Pittsburgh Convention & Visitors Bureau for its continuous and unrelenting commitment to the building of travel and tourism within the Greater Pittsburgh region; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Greater Pittsburgh Convention & Visitors Bureau for their devotion and commitment to excellence and declares Tuesday, October 5, 1999, "Greater Pittsburgh Convention & Visitors Bureau Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion.
Which motion prevailed.

The Chair:

Again, I've worked very closely with Bob in many projects over the past few years. I'd like it if you could talk about what's going on. We're very excited about all the awards you're getting. It looks like you're ready for the new convention center.

Mr. Imperata:

Thank you, President O'Connor.

The Greater Pittsburgh Convention and Visitors Bureau is delighted to be a recipient of this proclamation. There are two important factors in this community that allows us to go forward. One are the people of Pittsburgh and people that serve on this Council Body. Without the help and the dedication and cooperation of individuals like yourselves, we could not move forward with our projects.

Secondly, of course, is the bricks and mortar that go along with that and your willingness to approve these projects and see to it that they move forward are very, very important to us. We want to continue the efforts that we've started. Your cooperation, your help and your willingness to address groups as they come to this fine city is very, very, appreciative of us. We look forward to continuing this fine working relationship.

Thank you for your time and energy.

The Chair:

Would the representatives from China please come up, the visitors, Bob Littlefield and Ken Macek. Peg, once again, it's an honor to have you in Council. I'm glad you could make it.

Again, I had the privilege of meeting with some of the members from our sister city. I can't remember how long are you here for?

Unidentified Speaker:

Twenty-one days.

The Chair:

Twenty-one days. It's an honor to have you here as a special guest and have you in Council Chambers.

I'd like to read a little proclamation and you can tell us some of the things you're doing here.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2113 WHEREAS, Sister Cities International is the national membership organization for sister city, county, and state programs in the United States; and,

WHEREAS, Sister Cities International is the official agency which links communities from the United States with communities worldwide; and,

WHEREAS, Sister Cities International represents 1,200 United States cities, counties and states and their 2,100 partner in 125 countries worldwide; and,

WHEREAS, Sister Cities International is the premier citizen diplomacy network in the United States, leading the national movement for global community partnerships and volunteer action; and,

WHEREAS, the City of Wuhan, China and the City of Pittsburgh have been sister cities for eighteen years and have developed wide-ranging exchanges in the areas of economy, trade, culture and education; and,

WHEREAS, the following visitors are involved in the first high school student exchange with Shady Side Academy and Sewickley Academy:

Ms. Peng Wen, Wuhan Foreign Affairs Office

Ms. Zhon Weiming, Wuhan Foreign Languages School

Mr. Xiong Xin, student

Mr. Cai Zhonjun, student

Mr. Song Yi, student

Mr. Tian Quan, student

Mr. Long Chang, student

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Pittsburgh Sister Cities and Sister Cities International on an outstanding program and especially recognize our visitors from Wuhan, China; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 5, 1999, "Wuhan China Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Littlefield:

My name is Bob Littlefield. I'm the Executive Manager and Co-founder of the Pittsburgh Wuhan Friendship Committee. I'm the co-founder with Mayor Caliguiri, David Mater and others.

I had the privilege to accompany Mayor Caliguiri to China some 18 years ago. That was followed by the visit of Mayor Leger (Phonetic) from Wuhan. At that time, the sister city arrangement was made. Later an organization was founded to promote the cultural, educational and economic exchange between our two cities. That activity, I think, is highlighted by a delegation of 14 including these young people and a representative of the Foreign Affairs Department of the City of Wuhan, Ms. Pung Wen. Ms. Pung will be able to tell you of some of the activities that have kept this group moving every moment of their stay.

This is the type of activity that we are working for. In exchange, not for our generation alone, but for the next generation. These are the young people who will be leading delegations in trade, education and cultural exchange in the future. It's really a pleasure to have the opportunity to greet them and introduce them to you.

Thank you.

Ms. Wen:

Good morning ladies and gentlemen. We are very excited to be here to attend the meeting in City Council. Wuhan has been the sister of Pittsburgh for 18 years. It's the first time for us to carry on the student exchange. All the students are from high school in Wuhan. Three of them are from Wuhan Number Three High School who has a sister school with Sewickley Academy. Two of the boys are from Wuhan Foreign Language School and they are sister with school Shady Side Academy.

We are very excited to be here. We always have your meeting on T.V. But, we never expected to be here and to be with you and attend the meetings here.

Thank you very much.

The Chair:

Ken, do you want to say a few words. Ken's a former superintendent.

Mr. Macek:

Serving in education has certainly been most interesting and most rewarding. Having the opportunity to work with these young ladies and gentlemen in the first exchange of a central Chinese City with a United States high school, I'm talking in Central China, very precedence setting. We're very proud that it is the Pittsburgh region that has enjoyed this relationship.

I certainly appreciate President Robert O'Connor's offer to us to visit City Council. I can only tell you that the excitement of this group and the excitement and Pung Wen and Weiming, the teacher from here, are just enormous. They feel very, very privileged to have this

opportunity to appear before you, the City Council and the Mr. O'Connor.

So, again, thank you very much for this opportunity. It certainly will mean so much.

I might also add that there will be students returning for the first time from the Pittsburgh region to China in March. So, the exchanges are now in place. Our hope is that the City of Pittsburgh school's who we're in some discussions with as well as a number of other schools in the region will also exchange. Perhaps in three, four, five years we'll have many high schools doing this same thing. I think that will build a good will that will lead us into the next generation of friendship.

Thank you.

Unidentified Speaker:

I'm very glad to be here to speak to you. I'm a student from Wuhan Foreign Languages School. My name is (inaudible).

At this moment, I'm very, very excited standing here. In the past 21 days we've been here, many people are just so friendly to us and especially our host families and those people in Shady Side Academy. They're just very friendly. From those people, I can see why China and the U.S.A., although they're in some troubles, they can also make their friendship strengthen every time because the people are very friendly with each other, they want to know each other. Yes, I want to know the people here and I see the real lifestyle of American people. It's very wonderful. I hope those Shady Side Academy exchange students when they come to China to visit our City, they can

have the same experience as we do and they can have the same pleasure as we do here.

Thank you.

The Chair:

We have a few to be read into the record.

MR. HERTZBERG PRESENTS:

No. 2114 WHEREAS, on September 14, 1999, James and Eve Gould celebrated their 50th Wedding Anniversary, and

WHEREAS, Mr. and Mrs. James Gould reside in the Chartiers City Neighborhood of the City of Pittsburgh; and

WHEREAS, James Gould was employed as a guard at Thornhill School for thirteen years; and

WHEREAS, the couple has one daughter, Dana Gould Gallis, who is a teacher at Elizabeth Seton Elementary School in the Sheraden Neighborhood of the City of Pittsburgh; and

WHEREAS, on September 18, 1999 the couple was honored by their daughter and son-in law with a surprise celebration dinner at Montemuro's Restaurant, where 25 family members were there to share in the joyous occasion.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh Congratulates Mr. and Mrs. James Gould on the occasion of their

Golden Wedding Anniversary and wishes them many more years of happiness.

MR. ONORATO PRESENTS:

No. 2115 WHEREAS, Oliver High School, located on Brighton Road on the North Side of the City of Pittsburgh is named after David B. Oliver, past president of the Pittsburgh Board of Public Education, was opened Tuesday, February 3, 1925; and

WHEREAS, the Oliver High School Class of 1949 will be celebrating their "50th" reunion at the Highland Country Club on October 9, 1999; and

WHEREAS, the 1949 February Class Home Room Officers were; Room 124 - Robert Weaver, Room 128 - George Hitchak, Room 150 - Cliff Hargest, the 1949 June Class Home Room Officers were; Room 105 - J. Hanshmaker, Room 135 - Martin Boyd, Room 145 - Bob Peck, Room 229 - Carl Monteleone; and

WHEREAS, the Reunion Committees include: from the February Class - Ruth Shinkets-Gavran, Shirley Simpson-White, Pat McGonigle-Patton, Richard Goyke, and Alan Majeski; and from the June Class - Marie Roland-Kane, Lorraine Leister-Gozzard, Victor Turkle, Robert Peck, and John Stasko.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and congratulate the Officers and Reunion Committee Members as well as Carl Monteleone (Committee Chairperson) and wishes a Happy 50th Reunion to the 1949 Class of Oliver High School.

**MR. O'CONNOR AND ALL
COUNCIL MEMBERS PRESENT:**

No. 2116 WHEREAS, the Beta Theta Chapter of the Sigma Chi International Fraternity, located at the University of Pittsburgh, was inducted as the eighty-third Chapter on July 9, 1909; and,

WHEREAS, the Beta Theta Chapter has enjoyed ninety years of success at the University of Pittsburgh and has initiated over two thousand young men into the Greek world; and,

WHEREAS, some of the more notable initiates of the Beta Theta Chapter include Mike Ditka, E.G. "Bud" Schuster and Robert Bubb; and,

WHEREAS, the Beta Theta Chapter has also accumulated a large number of awards and accolades in its ninety-year history, including seven Peterson Significant Chapter Awards and the Legion of Honor Award; and,

WHEREAS, in addition to participating in the University of Pittsburgh's Greek Week, where tens of thousands of dollars are raised for charity, the Beta Theta Chapter also holds their own charity event - Derby Day's - as a vehicle to raise additional money for local charities.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Beta Theta Chapter of the Sigma Chi International Fraternity on its continued contribution to the University of Pittsburgh and the City of Pittsburgh at large; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Beta Theta Chapter of the Sigma Chi International Fraternity on ninety years of excellence and declares Friday, October 1, 1999 as "Sigma Chi Day" in the City of Pittsburgh.

**MR. O'CONNOR AND ALL
COUNCIL MEMBERS PRESENT:**

No. 2117 WHEREAS, Amir Pilch graduated from the University of California, Berkeley, relocating to Pittsburgh in 1985 when he assumed the position of Executive Director of Congregation Beth Shalom; and,

WHEREAS, Amir Pilch continues to serve the ever growing Congregation Beth Shalom with distinction; and,

WHEREAS, under Amir Pilch's leadership, the Religious School enrollment significantly increased with expanded programs and the Preschool program was initiated; and,

WHEREAS, as the Director of Development, Amir Pilch's recent projects for Congregation Beth Shalom include the \$8 million Torah Project Fire Rebuilding Campaign; and,

WHEREAS, Amir Pilch has also distinguished himself through his service as a member of the Committee for Programs for Assistance to Liaisons to Synagogues and the National Association of Temple Administrators; and,

WHEREAS, Amir Pilch continues to earn the respect and affection of his congregation and colleagues locally and nationally, as is evidenced by his recent installation as President of the North

American Association of Synagogue Executives.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does recognize and commend Amir Pilch on his continued contribution to congregation Beth Shalom and Pittsburgh's Jewish Community; and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 5, 1999, "Amir Pilch Day" in the City of Pittsburgh.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2118 WHEREAS, in 1953, William A. Uricchio joined the faculty at Carlow College as a recent graduate of a doctoral program, dedicating himself to their mission of furthering scientific education for women; and,

WHEREAS, Dr. William Uricchio spent his career at Carlow College, challenging his students to push the limits of scientific knowledge and to defy traditional career paths to break into the areas of science and mathematics; and,

WHEREAS, Dr. William Uricchio retired from Carlow College over forty years later as an accomplished and well-respected Professor Emeritus; and,

WHEREAS, Dr. William Uricchio served in many capacities throughout his career at Carlow College, including chair of the Division of Natural Sciences & Mathematics, coordinating of the Pre-med/Medical Technology/Perfusion Studies program, and coordinator of the program for Improving Elementary Science; and,

WHEREAS, in addition to his academic accomplishments, Dr. William Uricchio has been an active member of the community, serving on the Boards of Directors of Duquesne University, the McGuire Memorial and the Science Institute of Pittsburgh; and,

WHEREAS, Dr. William Uricchio has also served as the past president of the Inter-Federation for Family Life Promotion and as a consultant to the University of Pittsburgh Board of Directors; and,

WHEREAS, Dr. William Uricchio remains a leading educator, researcher and lecturer who has earned the respect and affection of his colleagues locally, nationally and internationally.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does recognize and commend Dr. William Uricchio on his outstanding academic career; and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 28, 1999, "Dr. William Uricchio Day" in the City of Pittsburgh.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2119 WHEREAS, Father Scott Seethaler was born, raised and currently lives in Pittsburgh, Pennsylvania; and,

WHEREAS, Father Scott Seethaler was ordained in 1969 as a priest of the Capuchin Franciscan Order; and,

WHEREAS, since 1975, Father Scott Seethaler has spoken throughout the

world both in religious and secular forums concerning issues of faith, stress management, personal & professional excellence, and family values; and,

WHEREAS, Father Scott's message, which is always filled with humor and joy, has been recorded on both audio tape, video tape, the books he has authored, television and a radio ministry in Pittsburgh; and,

WHEREAS, when Father Scott is not preaching the word of God, he can usually be found at the movies or cruising around in his red Jeep Cherokee.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Father Scott Seethaler on his 30th Anniversary and his continued dedication to the Catholic faith; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby extend its thanks and appreciation to Father Scott for his continued dedication to his fellow Pittsburghers and proclaims Wednesday, September 29, 1999 as "Father Scott Seethaler Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolutions.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will entertain public comments. Anyone wishing to

address Council for three minutes, please give your name and address for the record.

PUBLIC COMMENTS

Ms. Urquhart:

Good morning, Council.

My name is Dorothy Urquhart. I reside in East Liberty, P.O. Box 5491.

Mr. President, Mr. O'Connor, I would like to ask for a few more minutes because it's very hard to explain in three minutes the hardship that I'm going through.

The Chair:

Those are the rules for everyone. You're here tomorrow, so please try to summarize in three minutes.

Ms. Urquhart:

My hardship and my reason for being here is my house being cold and my utilities being high because of the condition of my house.

My son served this country in Korea and in Vietnam with the 101st Airborne Rangers. He was a very proud soldier. My son came to me and asked me about going into the service to help him to go to college for electronics. I told my son he did not have to go to the service in order to go to college, we would make out. But, he decided to go himself. He went and he fought for this country. Make certain if you go and fight for this country, make certain that you fight for your rights at all times. I would not tell my son to do something that I would not do.

I'm here to fight because I have been robbed. Last week Councilperson McDonald said she did not think that anything could be done to help Mrs. Urquhart with her house. I am a victim, not the villain. It all depends on who the person is or if that person truly wishes to help. First a person needs to investigate the problem sight. You do not go to a cat and ask the cat did he eat the bird out of the cage. You go to the owner and investigate.

Valerie, you are not here to pass big bills for the URA alone. You are supposed to also be looking out for the people in your district. It is no fun here being a black woman in Pittsburgh because it is very hard. Valerie, I believe you forgot that you are a black woman and there are problems here in Pittsburgh and that you can do and help a lot of the problems.

Why was money paid out for work that was not completed or in place? The Urban Redevelopment had complete control over the money and the contractor. I called Mr. Birru when the contractors were putting up drywall before the electrical wiring was completed. Mr. Birru told me to let the contractors do their work. They were not chased out. The lights today, there's problems.

I have papers here where I signed off on work that was not in place and not did. I have proof and I have given it to each one of you Councilpeople, you sit there and you look at each other.

Before I sign off, I'd like to say thanks to Mr. Sala Udin who came by and inspected my house. It is not right that I, a 67 year old woman, should have to be

paying for something that I do not have. Council should be looking into it to investigate it. I am not just here just talking, it is not a play thing. Mrs. McDonald she should be ashamed for sitting up there and passing the bills that she's passing and not looking into the problems in her district.

The Chair:

Thank you, Dorothy.

Next speaker, please. You have three minutes. Please give your name and address for the record.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street. I have said hello to our visitors from another country and they will see how this city is run.

A happy note I wanted to start off with. On Saturday, first, I attended a press conference regarding Marc Brentley (Phonetic) and it was about how this election was overturned. We, the people, are questioning that if they say that there were 80 people that Marc Brentley was supposed to have signed their name, how come those 80 people would vote for Cyril Wecht or Roddy or whoever, how come the whole election was not thrown over? It's just that you choose the School Board.

I was at that press conference and, City of Pittsburgh people, you need to understand that 32 people of the 80 were contacted. They, in fact, did vote. There was one man there that showed us his driver's license and said I signed up to vote 10 years ago, quite naturally my

handwriting would be different. But, a lot of people were questioning, why weren't these people questioned. Why didn't you notify the people and say, we have questions with your handwriting.

Also, I went to the Afro American Heritage Parade. As I was coming back up the street from the parade, I ran into Ron Suber. Now, I had started a concerned parent letter and I gave some to our parents. Ron Suber's name was mentioned in the paper, so I requested that Ron Suber take that paper and read it.

Saturday after I left the Heritage Parade, I went on the North Side. I'm telling you citizens of the City of Pittsburgh go over there not this Saturday, but next Saturday because they have the best flea market. They have some things that are just 25 cents and on. I made new friends over there. Tomay (Phonetic) my new friend is your husband watching the money.

Also, I would like to bring out something that is very disturbing. It was said that I brought a case in here and I was saying that it was molestation, the security guard and molestation. That was not true. Look in your minutes. For the record, I am saying the only thing I said was the security guard went into the classroom, took the 14 year old boy out of his classroom, took him up to the third floor and they found them wrestling. I would not have said molestation. This child is going to have to deal with the stigma. You, Mr. Ferlo, you were 100 percent wrong, I did not say molestation.

Ms. Brown:

Sergeant of Arm, I have three minutes to talk. He's up talking over me, take him out.

As I was saying, I did not say molestation. Please tell the truth on me, do not lie. I said wrestling. Read the paper.

The Chair:

Thank you.

Any other speakers wishing to address Council?

Hearing none, we will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 2120 Resolution authorizing a Cooperation Agreement or Agreements which provides for the use of funds not to exceed Sixty Thousand (\$60,000) Dollars from the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios, and equipment for the use by City of Pittsburgh Departments and Authorities.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. DIVEN PRESENTED:

No. 2121 An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article IX, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.01, License Required; Exception,

Section 777.03, Information Required, Section 777.05, License Fees, and Section 777.07, Revocation, Debarment and Contraband Declaration, by adding specific language and additional requirements to further prohibit mechanical gambling devices,

Which was read and referred to the Committee on Public Safety Services.

No. 2122 Resolution transferring the amount of \$3,700 from Sub Class: 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999. —(SPONSORED BY MR. DIVEN)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 2123 Resolution further amending Resolution No. 141 effective March 18, 1999 as amended by Resolution No. 352 effective June 10, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof," by making certain corrections to amounts appropriated pursuant to

Resolution No. 178, effective April 1, 1999.

No. 2124 Resolution further amending Resolution No. 140 effective March 18, 1999 as amended by Resolution No. 351 effective June 10, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof," by making certain corrections to amounts appropriated pursuant to Resolution No. 178, effective April 1, 1999.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 2125 Resolution granting unto The University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, Pennsylvania 15260 their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, underground steam, chilled water, sanitary, water/fire

protection lines and electrical utilities on portions of the right-of-ways on Terrace Street, DeSoto Street, O'Hara Street, N. Bouquet Street and Sutherland Drive in the 4th Ward, 8th Council District of the City of Pittsburgh.

No. 2126 Resolution granting unto 312 Boulevard Associates, 312 Boulevard of the Allies, Pittsburgh, Pennsylvania 15222, and 322 Boulevard Associates, 322 Boulevard of the Allies, Pittsburgh, Pennsylvania 15222 their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, planters on a portion of the sidewalk areas at 312 and 322 Boulevard of the Allies in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 2127 Resolution Vacating a portion of Murko Way and 12' Unnamed Way in the 25th Ward, 6th Council District of the City of Pittsburgh.

No. 2128 Resolution Vacating 10' Unnamed Way between Elba Street and Centre Avenue and a 5' Unnamed Way from this 10' Unnamed Way to its easterly terminus in the 5th Ward, 6th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works and Environmental Services

MS. MCDONALD PRESENTED:

No. 2129 Resolution amending Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277 effective May 3, 1994, by Resolution No. 949 of 1995, by Resolution No. 819, by Resolution No. 958 of 1996, by Resolution No. 249, No. 501 and No. 666 of 1997,

and by Resolution No. 414 of 1998 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" transferring funds from a project in the Department of Parks & Recreation (School Outreach Program) and create a line item in the Equipment Leasing Authority (Capital Equipment Acquisition).

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 2130 Resolution amending the guidelines to effectuate warrantless arrests for public drunkenness to include guidelines for effectuating warrantless arrests of persons under the influence of a controlled substance, as defined in the Act of April 14, 1972 (P.L.233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, except those taken pursuant to the lawful order of a practitioner as defined in the Controlled Substance, Drug, Device and Cosmetic Act. **---(SPONSORED BY MR. ONORATO)**

Which was read and referred to the Committee on Public Safety Services

MR. UDIN PRESENTED:

No. 2131 Resolution Providing for the transfer of \$911,000 (Nine Hundred Eleven Thousand Dollars) from Organization 999300, Account 511000, Fund 1000, Sub-class 010, Budget Year

1999, to Organization 999300, Account 574500, Index Code 004697, Fund 1000, Sub-class 040, Budget Year 1999, Department of Personnel & Civil Service Commission, Employee Compensation.

No. 2132 Resolution providing for the transfer of \$5,000 (Five Thousand Dollars) FROM fund 1000, account 5121000, sub class 010 organization code 109000, TO fund 1000, account 516000, sub-class 020, organization 10900, Department of Personnel and Civil Service Commission, Salaries to Premium Pay.

No. 2133 Resolution Providing for an agreement or agreements with Charles J. Kolling, Legislative Consultant, for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 2000, at an aggregate cost not to exceed thirty-thousand dollars (\$30,000.00) chargeable to and payable from Code Account 1017, Index Code 101709, Account 526100, Sub-Account 150, Organization 102000, Fund 1000, Budget Year 2000, Miscellaneous Services, Mayor's Office.

No. 2134 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 2135 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 2136 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with

Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2137 An Ordinance amending and supplementing the Pittsburgh Code, Title Five, Traffic; Article I, Administration, Chapter 503, Enforcement and Control, Section 503.07, Stop Points, by establishing a process for the placement of STOP signs and WATCH CHILDREN signs within the City of Pittsburgh. — **(SPONSORED BY MR. O'CONNOR & MR. DIVEN)**

No. 2138 Resolution authorizing and Directing the Director of Engineering & Construction, in conjunction with the Director of the Department of Public Works, to implement a program to significantly enhance the visibility of pedestrian crosswalks and to develop a Crosswalk Safety Campaign to raise the public's awareness of laws governing pedestrian safety law and to increase the number of drivers who stop for pedestrians at intersections establish a dangerous intersection hot line. — **(SPONSORED BY MR. O'CONNOR)**

Which were read and referred to the Committee on Engineering and Construction.

No. 2139 Resolution providing for an agreement with a Consultant or Consultants for professional services supplied to City Council, in the amount of \$100,000.00. — **(SPONSORED BY MR. O'CONNOR)**

No. 2140 Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization" line item by \$50,000.00. --
-(SPONSORED BY MR. O'CONNOR)

Which were read and referred to the Committee on Finance and Budget.

No. 2141 Petition from the residents of the City of Pittsburgh requesting a Public Hearing relative to Council Bill No. 1896 - The Landlord Responsibility Initiative.

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Thank you.

Under Unfinished Business, the Chair presents, we have the appointment of Ms. Blackman to the Housing Authority.

UNFINISHED BUSINESS

MR. O'CONNOR PRESENTS:

No. 2071 Resolution authorizing the appointment of Ada Blackman as a Member of the Housing Authority of the City of Pittsburgh, term to expire September 30, 2000.

MS. MCDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Is there anything else under Unfinished Business.

Mr. Ferlo:

Thank you, Mr. President.

Under old business, I was wondering if we had a response yet from the Administration on Mr. Diven's request and my request and, I think, Council's request regarding this so-called 10 percent on the Tax Increment Financing? We wanted some assessment either legally or financially as to whether or not we've approached anywhere near that amount. Whether or not it's a legal statutory cap that we cannot exceed. I'd like some legal and/or financial explanation.

I think it's particularly important since we have four or five TIF's that are being talked about. I think it's also important regarding the Mayor's pronouncements yesterday regarding his hope for the Forbes/Fifth Retail. If I'm understanding, there's maybe \$100 to \$150 million dollars in public dollars being proposed to be committed to this project. If some of that is a TIF, I'd like to understand what that issue is in response to our questions.

The Chair:

We will send a second request.

Mr. Ferlo:

Secondly, since it has been talked about for some time and now that the Mayor has made some formal announcement, I find it interesting in a matter of an hour that we have to go from a press conference to a formal vote of the URA, the Board confirming or supporting financially the Forbes/Fifth proposal.

Could we hear from the Administration what the procedure is or how Council will be involved, at least legally, what measures do we have to vote or not vote on, and what do we have to approve or not approve? I'd like to understand at what point in the chain of approval or disapproval is this Council. Assuming we have some level of approval or disapproval, I would strongly ask that we try to get Council to hold a public hearing and try to discuss some of these policy issues prior to everybody going off into a tangent presuming that this is a done deal.

It may be a done deal, but I think it's incumbent upon us to hear from affected property owners and retailers, planners, preservationists and other people. I think there are any number of issues that should be looked at from the Mayor's big bang theory of urban retail to spreading retail out at properties that are less than quality in and around the downtown corridor. There are any number of issues that we need to look at.

If we could please hear from the Director of Planning, Director Hirsh or maybe the URA Directors as to what Council will be asked to either approve or disapprove. I don't know to be quite honest with you.

Mr. Hertzberg:

I can tell you at a minimum that this redevelopment proposal will come to Council and Council is required to have a public hearing. So, at a minimum we're having one public hearing. That's the same resolution that was passed by the URA yesterday. Now, it goes to the Planning Commission. The Planning Commission will have to hold a public hearing and then take action on it. At which point it will then move to Pittsburgh City Council. That's a part of the whole eminent domain issue you have to find something is within a redevelopment area before the URA can exercise the power of eminent domain. So, that's at a minimum one public hearing that Council will hold.

We still have the issue on the two TIF's, the PNC TIF and the Mellon Bank TIF. Where Council, we reserved a requirement that we approve this whole Fifth/Forbes plan before the release of the proceeds from those two TIF's which are required to do this \$7 million dollars from each of those \$14 million dollars.

Mr. Ferlo:

I'm concerned that the public, especially those who are affected either as renters, retailers or even property owners in the affected area, I don't find it very comforting that in a matter of a press conference to an hour later a formal economic development board, the Urban Redevelopment Authority votes ASAP on the proposal. I don't know if there was any public hearing or public commentary period, but I think an important authority like the Urban Redevelopment Authority should have provided a public forum prior to a formal vote on the plan to allow those

affected -- I don't know why that wasn't -- maybe that was already done and I'll apologize if that did happen. But, to the extent that the public needs to appear in some public forum to have an impact on this issue. It shouldn't just be Council.

The tone that worries me and I respect the Mayor's initiatives. I know he and his staff and others certainly have invested a lot of time and resources into this plan, you can call bold or you can call provocative or you can call innovative or whatever you want to call it, that's your prerogative. But, whatever it is it demands some level of scrutiny and analysis, not only by affected individuals and property owners but by this Council and by the community at large since we're talking about the opportunity and direct dollars, \$100 million plus.

So, I didn't like the tone, at least the intonation, at the press conference that somehow anybody who has a question is a naysayer, step aside. That's really not a good tone. The Mayor can be passionate about his belief that this is what is needed in the Forbes/Fifth corridor and come heck or high water, he's going to promote that. I respect that and I think we all should respect that. But, at some point, a vote at the level of the Urban Redevelopment Authority, the Planning Commission and this Council, I'm concerned that people have a right to speak about their own vested dollars and their property or what this plan hopes to or reports to accomplish.

I just get the feeling that it's already being railroaded at least by the URA vote yesterday. So, I'm very concerned. I think Council should not only be the form of last resort, I think we should be the early on participant in the

beginning to ask questions and review some of the issues that are being raised as a result of this big bang theory of Urban Retail on Forbes and Fifth.

So, I'm asking the Chair that maybe through the Clerk's Office that we communicate back to the affected property owners what is the avenue by which they can express their concerns. Apparently, they can't do it now at the Public Urban Redevelopment Authority. Presumably, they will have a chance to do it at the Planning Commission. Presumably, they will do it here at City Council.

I would ask similar to the public hearing that we had in the Hill District, which was very well attended, I think we should consider having an early evening meeting here in Chambers of a public hearing nature so that smaller businesses and others who have to work all day can maybe find time in the evening to express their concern, whether they're in favor or whether they're opposed or whatever.

I would to ask for those two or three things. One, that we find out from somebody once and for all what is this 10 percent cap issue. Is it a legal issue or is it statutory? Where are we financially on that? Two, spell out for the Council and the public what are the public processes for public participation on this whole Forbes/Fifth issue.

Mr. Hertzberg:

Thank you.

I am on the Board of the URA. I did vote yesterday so I just wanted to explain a few things.

I think a lot of the problem here with the lack of public dialogue relates to the use of eminent domain and the desire not to make any kind of public statements about that until the whole thing is ready to proceed or you'll be in a situation where you'll have property owners claiming a defacto condemnation when, in fact, the thing is not ready. I guess it wasn't really ready to go until Thursday, that's when all the agreements were reached to move forward. I did my best in the last 72 hours to try to get all of the information I could before I voted. I certainly didn't have it all. I still haven't had the opportunity to read this entire report which was given to me right before the vote.

As I said yesterday at the Board Meeting of the URA and before I spoke, members of the public were given the opportunity to speak. Several of them had questions, several of them were negative comments. There was a public meeting. But, I view this as the first step. I don't think that's my view alone, I think that's the view of Mulu Birru, that's the view of Tom Cox and that's the view of Mayor Tom Murphy. That is that this is the kick-off of the public discussion of this. I view it that way.

The reason I supported it, whether you liked this exact plan or whether you favor another one, one thing I'm certain of is everybody agrees that right now what we have on Fifth and Forbes, what should be the retail hub of downtown Pittsburgh, is not really the right mix of retail businesses. We need to do something to change that and this is where we're starting. It's definitely not where we're going to end up. I'm confident there's going to be changes made to this proposal. This is really the beginning of the

discussion. It's going to be an intense discussion over a couple of months. The desire is to have the whole thing ready to roll by January, maybe that's too ambitious, but that's the hope. The hope is to have extensive public discussions on it.

Mr. Ferlo:

This is the second time in less than a week that I've heard this slock about because of the imminent domain we're not supposed to discuss anything and we're not supposed to say anything publicly. That doesn't hold.

First of all, there's no way you're going to convince me that the owners of the 1902 Tavern and owners of Nicholas Coffee Shop, both of whom were early on supporters of this plan, didn't know what was up. They're clearly in favor of it because their property is not being taken now apparently in this plan. They made these pronouncements many weeks ago, not just in the last few days.

So, this notion about secrecy or not telling anybody, it just doesn't fly with me. It doesn't fly with me in the case with the Bedford situation in the public hearing that our colleagues attended the other evening in the Hill District community as well.

I don't know if people were affirmatively notified about the URA public hearing process yesterday. I find it interesting that only a couple of people showed up. I think the URA is the actual, they're the ones ultimately that have a lot more power and say so in this whole issue, more so than anybody else.

I would have hoped that prior to a final vote or, at least, a preliminary vote, there should have been some notification of affected property owners as to what the URA was voting on yesterday. There should have been a way for them to also hear some public comment and concern because they may want to alter or look at different scenarios.

So, that opportunity, apparently, has gone by the wayside. But, I hope that the Planning Commission isn't a rubber stamp action. I don't think this City Council will be a rubber stamp action.

So, I want to state now to the great Editorial Board of the Post Gazette that just because people have legitimate questions and concerns and want to review things like a market plan, like will all this big retail make sense, will people come back downtown in the evening, there are a lot of serious questions including parking, including what should or should not be say preservation wise, that are legitimate issues for this Council to deliberate on. So, I hope that this characterization that anybody who has a legitimate question is a naysayer can just be put to rest now. We should go through a level of due diligence and debate and deliberation on the pros and cons and also whether or not other scenarios for redevelopment in and around the downtown should be looked at and reviewed.

So, let the games begin.

The Chair:

I tried to give the Administration and the Mayor and the URA the benefit of the doubt. As Councilman Hertzberg said, this is the blue print, it's the starting point.

But, I certainly agree with you, Mr. Ferlo, that we can't by questioning anything be naysayers. We represent, whether it be the big guys coming in or the little Candy Rama's that have been there for years. So, I expect a lot of dialogue. As you said, there's no marketing plan. The only dollars I see is what I read in the paper. I can see the idea, I know the idea, the political idea of waiting. Because of the big announcement, you can't just pass this stuff around or otherwise it leaks out. But, I don't see any rush here.

I don't like to be called a naysayer. I question that quite a bit. The Lazarus deal, I finally, in the end, voted for it. I'm all for a Lazarus building, I don't feel we should give the store away, which we did there. But, we are having support of these things.

Again, Bedford Dwelling, I know some of the Councilmembers weren't there. It was probably the best public hearing I attended. It was the real people, the people that live in the neighborhood. It wasn't the members of some group who are part of the insider game. So, I expect that same kind of dialogue from the residents of downtown, the people that live there and the people that work there.

So, I think we have a long way to go. The planning is usually a rubber stamp. Although they have all the hearings, but they're all appointed by the Mayor. So, you're not going to get a fair shake there. So, it will come down to the last resort of this City Council.

Hopefully, the Planning Commission will, at least, hear from people in the community and make the

necessary adjustments. So, hopefully they get them to the 20 yard line and, then, if it's going home it has to be done here, the last 10 or 20 yards or percentage.

You asked for a marketing plan, which I haven't seen. We asked for a budget, which we haven't seen. In fact, talking about budgets, I didn't get a copy of today's capital budget yet. I did send a request or a statement to the Mayor's Office today that we got called last night at 5:00 about the 2:00 meeting today and some of my Councilmembers just found out this morning. We make our schedules weeks and months in advance. So, we do need a lot more cooperation. I'm not picking on the Mayor himself because I'm sure he doesn't get into these details. The people working for him better cooperate a lot better with all of Councilmembers instead of these agendas or we're going to have a rough rocky road. We don't want to have another Wool Factory and Heinz Factory. Thanks to Mr. Onorato, I doubt if that thing would have went through, without his leadership.

I believe this is a very, very exciting time in Pittsburgh, but it's going to take a lot of cooperation. I'm willing to cooperate, but I think we have to start working together a lot closer.

Mr. Cohen:

Mr. President, I agree with you. One thing I think is important and I think it's one of the things that Councilman Ferlo is saying also is that we should not be last in a line of government agencies to approve the Fifth and Forbes project. There's going to be, of course, a lot of work before the Planning Commission,

that's going to take some time. Then, it comes to Council.

What I would recommend is that City Council be briefed early and also be able to work with the Administration early to try to make any changes that need to be made prior to it coming to Council for our votes so that we're not put in a position as we often are either going thumbs up or thumbs down. We want to work with this --

The Chair:

Excuse me if I can interrupt one thing. If you don't vote for it in the next 24 hours, the ball will go up and down. We can't tolerate that again. This is too important and too big of a problem.

Mr. Cohen:

That's right.

I think we need to put the Administration on notice now that we want to work with them now, starting today. We've had some informal meetings prior to this. Since yesterday's press conference and the URA Board meeting, it is now on the table and we need to work with them starting today not after the Planning Commission acts because that will put us in a difficult position. We want to work with this plan and make it work for Pittsburgh and not be caught at the end of the track.

Mr. Diven:

I think Council needs to get over the point of worrying about being perceived as naysayers. Obviously, I would love to see the Post Gazette

Editorial Board acknowledge their direct financial interest in what the Mayor is trying to do.

Obviously, they supported Lazarus because on any given day you can find two or three pages of advertising from Lazarus in there. I'm sure they're expecting that same kind of financial commitment from stores like Nordstroms and other financial retail operations that are going to be located in this corridor.

So the idea of us standing back and asking tough questions and making sure that a \$500 million dollar investment in downtown Pittsburgh is the right investment and is going to take us to our often level as a downtown corridor is not something that we should take very lightly. I don't think we should be bullied or intimidated in by either the Administration or the Post Gazette for that matter.

I would just love for them once to acknowledge their direct financial involvement in reliance on some of these projects they're being courted by the Administration into supporting. I think Councilman Ferio pointed out on a couple of meetings in regards to the Pirates that they were a direct owner or a portion of the Pirates and they're involved in that. So, obviously, they would be very supportive of stadiums. When we come up and ask tough questions about things that are related to how the distribution of money gets back into neighborhoods and athletic programs and recreation centers and neighborhoods are not overloaded over on the stadium end of it and that there is a sharing of the wealth to make sure that neighborhoods are included in the big picture in the City.

The Post Gazette can't stand back and point fingers at Councilmembers and say that we're naysayers or we're standing in the way of progress. They have an obligation and a duty to report the news in an unbiased position. If they have a financial involvement in the big picture, they should be willing to come forward and state that in any of their editorials. That's one thing that gives me the courage to say at least with this major project that's coming down in front of City Council, I'm going to be willing to stand up and take a tough vote and I'm going to be willing to look at the issues and the facts and vote my conscious on this. I'm not going to listen to the pressure or sometimes the malarky that the Post Gazette Editorial is so famous for spilling.

I just wanted to go on record and say this early in the stage.

The Chair:

I'm setting up meetings with some of the team owners to let them know. I got a cold shoulder from one of them because one of our Councilmembers questioned something and I don't like that. Council stood by some of these teams when they were really in trouble and we took some hard votes. All of a sudden you question someone and you're the bad guy. So, I represent some of the treatment we, as a group, have been painted with. These people better know we're their bread and butter if they want to cooperate with us. We've done more than our share for all these teams and conventions there.

Mr. Ferio:

This is one time we better open up our ears and listen to an awful lot of

individuals as well as stakeholders before we render a decision about this big bang theory for retail development known as Forbes/Fifth Market Place or we're going to end up like the great thinkers and planners that designed the East Liberty Mall.

We're talking about economy now that's riding a lot better than it may be in five years. I question what the economic business viability will be a major retail expanded department stores in the downtown corridor when the economy changes significantly.

There is significant issues about what is the baseline financial support needed to sustain major retail department store nature given the, I don't know maybe I'm the only one who's noticed this, but if you ever take a ride out the Parkway or out 279, in just a matter of three or four years, we've had farm land go to major shopping malls at (inaudible). Somebody's supporting those stores financially. Are these people expected to come back downtown because the notion of an 18 screen movie plex?

There are a lot of issues that we need to discuss. I don't think it's irresponsible for us to ask this and not be viewed as obstructionist or naysayers by the Mayor or the Post Gazette Editorial Board. There's a significant issue about throwing this open for others to come up with ideas.

Pittsburgh History and Landmarks, both financially and the preservation community concerns they represent, is putting together what they would view as an alternative plan. Maybe we need to hear from others who would like to make

this kind of an investment if they were given the opportunity.

It always seems certain individuals are chosen to do business with this Administration. It's never clear to me that word is put out broadly and some kind of professional service review critiquing goes on to see who wants to come in. You know McCormick Verin (Phonetic) is hand picked, they do the Hill. This group is hand picked. The Mayor has close ties to people who are working on the Airport Authority, therefore, he's opposed to the Airport Authority. I always wonder at some point who's doing what business here with this Administration.

I would also like to ask whether or not this Forbes/Fifth Commercial Retail is even what we actually want. Maybe there's a legitimacy that's saying that downtown should be commercial office development with housing in the downtown corridor in a significant way not trying to remodel small four or five story walk-ups that we know are just never going to meet the building code. Maybe that should be a legitimate plan that should be critiqued and considered. Maybe Lincoln properties would like to do something in the heart of town.

I'd like to think that maybe a scattered site retail developer, when we're not putting all our eggs in one big basket of big retail but, maybe, scattered site. I always felt the lot across the street is an ideal location for a department store, right here on Grant Street. I always thought the area along Liberty diagonally across from Double Tree, which is deteriorating property and certainly not highly utilized property, but it's across from the Double Tree, Vista/Double Tree Hotel. It borders our cultural district development initiative.

You have all these folks who come in in the evening to the Cultural Trust to see the Symphony, the Heinz, the Benedum, you name it. Maybe they would walk across the street and go to an expanded Saks or a Nordstroms or some other thing. Maybe there should be a retail trolley.

I think we should do something different not thinking if we replicate Cincinnati and every other urban corridor that somehow that's the magic. I don't know that that's the magic. Maybe part of the magic is keeping the small comfortable nature of the downtown, which you could walk across in 10 minutes if you're able to walk appropriately. Maybe the development should be spread out at key locations that are either underdeveloped, our surface lots now, or need to be torn down for something better. Maybe we should put back the trolleys in and around the downtown so we have an urban shopping trolley that goes around. I'm just trying out different ideas.

My only concern is that everybody is rushed to judgment now. I can see politically the Administration has already decided to whip people into line and to kind of force this down people's throat come hell or high water, which I think is making a big mistake. I would ask that we find a way to explain to people what the public participation process is going to be and that we afford an opportunity for everybody who's affected or everybody who has an opinion to voice that concern, be it the URA, which they already side they don't want to hear anybody, or the Planning Commission or this City Council.

The Chair:

Any other comments?

Hearing none, we will go to reports of Committee.

Mr. Ferlo:

By the way, this is not something where the district Councilmember from the downtown is going to be viewed as the decisionmaker. So, let's get rid of that notion, all right.

Everybody's dollars are affected by this development. So, because somebody had a press conference when other people aren't asked to participate and offer their views, let's clear that record up, at least, from my point of view.

Mr. Cohen:

Just on that point, I know Councilman Ferlo didn't mean this and I agree with that point.

But, Councilman Udin has certainly taken the leadership role in organizing meetings prior to this and I'm glad that he has because I attended a couple of those meetings. I got more information out of those meetings than I've ever gotten in this Chamber. So, certainly he has been very involved and should continue to be involved.

The Chair:

I think his point was this is a super, not only even City Council but you'll have the new county executive and a new county council who's probably going to have a lot of input. So, this is not just the small neighborhood thing in my district or you're district.

Mr. Cohen:

No, it's not. I totally agree with Councilman Ferlo on that.

COMMITTEE CHAIR REPORT

Ms. McDonald:

Report of Committee on Housing, Economic Development and Promotion, just a couple of items.

In terms of my own Council District for New Penley Place, construction is approximately 75 percent complete. There is consensus, though, among all parties that all remaining buildings on the site as of to date, with the exception of the two Penn Avenue buildings, be demolished. The developer estimates the cost of environment remediation and demolition to be approximately \$1.0 million dollars. Sources for the demolition have not yet been identified.

Washington's Landing, on Thursday September 30th, the Rubinoff Company and Equitable Gas hosted a celebration in order of the last parcel being sold in the completion of the island. The public investment to prepare Washington's Landing for a private development was \$26,505,090.00; the private investment was \$44,178,000.00; with a total investment of over \$70 million.

When the URA took over the island, there were virtually no taxes. But, upon completion, the tax revenue to the city alone will be one million dollars. Of the 88 houses on the residential end of the island, only two are remaining for sale.

For the Fulton Renaissance Hotel, a \$44 million dollar renovation of the Fulton Building is scheduled to begin this month by Sage Hospitality Resources. The 93-year-old office building will be converted into a 4-star 300 room, luxury, Marriott Renaissance Hotel. The first floor will consist of a 130-seat high-end restaurant, lobby lodge, and hotel bar. The hotel will be complete by early 2001 in time for the opening of the PNC Park.

The Pittsburgh Housing Development Corporation is currently working with Beltzhoover Citizens Community Development Corporation in the development of, at least, six single family detached homes in the 200 block of Freeland Street in Beltzhoover. The BHDC recently received \$38,000.00 in combined pre-development commitments; \$19,000.00 from the URA; and \$19,000.00 from Mellon Community Development Corporation. A spring 2000 construction schedule is anticipated.

Lastly, concerning the Home Depot. As of yesterday, October 4th, the Home Depot construction project manager, Mr. Gary Solomon, advised us that his masonry contractor has been slower than expected in doing exterior brick work. As a result, opening date has been revised to January 20th of 2000. It was originally scheduled to open December the 16th of this year.

Last week the slab floor for the main Home Depot building was poured at night. Two more night concrete pours will be done this week. This deal provoked the main retail store and Vento's has been erected and root work is done.

Home Depot has agreed in concept to a revised plan for its employee parking in one lot instead of two, which was contested, across the street from the main site on Penn Circle North. This plan would retain the existing Harvard Street public parking lot. This plan is being worked out by the Parking Authority and the URA.

A job fair was held at Vintage on Monday, September 27th and attracted over 300 area applicants. The new Pittsburgh Regional Manager for Home Depot, Mr. Fred Galzarano, and the new East Liberty store manager, Eddie Egerton, were introduced to members of the East Liberty Chamber, ELDI, and the URA on September 29th.

That completes this short update on some projects.

The Chair:

Again, Home Depot, I'm disappointed to see it dragging. I think we're, at least, six month behind.

I'm just curious on Washington Boulevard, is there anything going on with this?

Ms. McDonald:

Yes, sir.

Washington Boulevard, the Jewish War Veterans are proud -- the developer has acquired this site incompleted to parcel demolition. Preliminary design is complete, funding commitments are being obtained to enable the project to proceed. The total development cost are estimated to be \$2.9 million. So, they're still

seeking some commitment and funding, but it's going.

Mr. Cohen:

Thank you, Councilwoman McDonald, for that report.

On the Home Depot site, I'm very concerned. I know Councilman Ferlo is as well and has expressed his concerns on this and State Representative Joe Preston as well as Councilwoman McDonald, about the South Highland Bridge which, of course, is an important artery which would be going towards Home Depot.

The Chair:

I think we're going to close that January 21st.

Mr. Cohen:

I think we need an answer on that. First of all, there's a discrepancy between where that bridge redevelopment is in the City budget and where it is in PennDot's budget, apparently they're about two years apart. I just met recently with the Highland Avenue merchants in my district who are concerned that it's going to be closed and people not be able to get there from the East Liberty area. I think we need an answer as to, who knows once we get the capital budget maybe it'll be in there, as to when the Highland Avenue bridge is going to be reconstructed. At least the design started and whether they can do that and leave a lane open so that that major artery from Shadyside to East Liberty and vice versa is not going to be shut down.

Ms. McDonald:

I'll talk with E&C and try to get an update on that. That has been discussed, I just don't know where it's at. It was discussed months and months ago. So, Councilman we'll work together and get an answer.

Mr. Cohen:

Thank you.

The Chair:

How is the master plan, if there is such a thing, for East Liberty?

Ms. McDonald:

There isn't a master plan.

The Chair:

I don't know if we talked about it, but I go there quite a bit and the cement concrete is always coming up, but it's so expensive to repair. In Squirrel Hill, on Forbes Avenue, we decided just to pave over it. It was 10 percent of the cost and they did it in 3 days and it's much easier to maintain. So, I hope we have other plans for East Liberty.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 2142:

Report of the Committee on Finance and Budget for September 29, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2060:

Resolution authorizing the transfer of the amount of Two Hundred Thousand Dollars (\$200,000.00) to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget year 1999 from the Special Summer Food Service program Trust Fund in the Department of Parks and Recreation, Account 581140, Fund 2855, Organization 521220, Subclass 600, Budget year 1999.---
(PRESENTED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 2061:

Resolution authorizing the transfer of the amount of Forty Thousand Dollars (\$40,000.00) to Premium Pay, Account 516000, Fund 1000, Organization 510000, Subclass 020, Budget year 1999 from Salaries, Regular Employees, Account 511000, Fund 1000, Organization 510000, Subclass 010, Budget year 1999. all in the Department of Parks and Recreation.---
(PRESENTED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the

bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2143:

Report of the Committee on Public Works, Water and Environmental Services, for September 29, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1852:

Resolution repealing Resolution No. 481 approved August 1, 1997, "Granting unto Beynon Building Company, 1900 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a

handicap ramp with a guard rail and hand rail on Wood Street in the 1st Ward, 6th Council District of the City of Pittsburgh".

Which was read.

Also,

Bill No. 2055:

Resolution granting unto Donatelli's Italian Foods, Inc., 4711 Liberty Avenue Pittsburgh, Pennsylvania 15224, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk at 4711 Liberty Avenue in the 8th Ward, 7th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2056:

Resolution granting unto D'Elia Wittkofski / Double Eagle Corporation, One Market Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a roof canopy over a portion of Market Street between Fort Pitt Blvd. and First Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2057:

Resolution granting unto Pittsburgh Cultural Trust, 125 Seventh Street, Suite

500, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, trees with metal grates on a portion of the sidewalk area of 635 Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 2144:

Report of the Committee on Planning, Zoning and Land Use for September 29, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2058:

Resolution amending Resolution No. 637, approved July 27, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "D".

Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bill?

The bill is now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 2145:

Report of the Committee on Parks, Recreation and Youth Policy for September 29, 1999, transmitting two resolutions to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 2062:

Resolution authorizing the issuance of a warrant in favor of the Carnegie Library of Pittsburgh in an amount not to exceed Five Thousand Four Hundred Eighty Seven Dollars and Fifty Eight Cents (\$5,487.58) in payment for utility costs for the Sheraden Senior Citizen Center, for the benefit of the City without previous authority of law, and providing for the payment thereof.

Which was read.

Also,

Bill No. 2063:

Resolution further amending Resolution No. 216, effective 4-20-99, as amended by Resolution No. 387, effective 6-18-99 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment;

and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$90,500.00 chargeable to and payable from Account 593100, Fund 1000, Organization 500000, Subclass 300, Year 1999 in the Department of Parks and Recreation." by increasing the Korean War Veteran's Memorial by \$2,000.00 from \$2,500.00 to \$4,500.00.

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2146:

Report of the Committee on Public Safety Services for September 29, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2008:

An Ordinance supplementing the Pittsburgh Code, Title 5: Traffic; Article 1: Administration; Chapter 503: Enforcement and Control by adding Section 503.14 Regulation of Bicycle Traffic in Downtown and Business Districts. — **(SPONSORED BY MS. MCDONALD)**

Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bill?

Mr. Cohen:

I wanted to first thank Councilwoman McDonald for working on this bill and reaching a compromise on it. I don't know if she has any comments on it. But, I did have one friendly amendment to it.

In a couple of neighborhoods in my district, North Oakland in particular, there are problems with bicycle riders on sidewalks. I have been contacted by the President of the Bellafield area Citizen's Association, Helen Slanky, who sent a

letter to me about this issue. I'd like to just read a couple of sentences if I could.

She says, there's several laws on the books already regulating bicycles and their drivers. But, they cannot be enforced without requiring bicycles to be registered and carry a license plate. Rather than asking that Councilwoman McDonald's bill be further amended to solve the problem, I'm suggesting that a committee be set up to study the problem and propose a needed legislation.

I and other members of the Bellafield area Citizen's Association are all in favor of more bicycles on the road since bicycle riding reduces air pollution and gridlock, but there has to be effective regulations. It is not fair for pedestrians to bear most of the burden of the increasing population of bicycle riders.

So, the amendment that I'm suggesting is that -- by the way, there currently exists, in looking into this I discovered there currently exists a Bicycle Advisory Committee that is chaired by, I believe, Richard (inaudible) of the Planning Department and apparently there are bicycle companies that are part of this. What I'd like to see is some citizens be a part of this Bicycle Advisory Committee and that's what this amendment does to really address issues like bicycle riding on sidewalks.

Apparently, right now, it is legal for bicycle riders to be on sidewalks in the residential areas, but not in the business district. I'm not sure that makes sense. So, rather than get into all of that now, I do think we should ask a group of people who have a stake in this issue to get together and see if they can come up with

something. That's what this amendment is.

The Chair:

Mr. Cohen, are your kids riding bikes yet?

Mr. Cohen:

They sure are, one of them is.

The Chair:

They have to ride it in front of the house in the residential street.

Mr. Cohen:

I understand that.

I'm not suggesting we should prohibit that, I'm not saying that. But, I do think that there is a problem in some areas. Especially in the North Oakland corridor where we have audible traffic signals for blind and visually impaired people and we have bicycle riders at the same place. There have been accidents, some serious accidents.

No, I'm not saying that we register bikes or even saying to not allow them to ride on sidewalks. What I'm saying is that this should be looked into, this issue. There already is a Bicycle Advisory Committee. Let's put some citizens on that committee, rather than just bureaucrats and people who own bicycle shops and see what they come up with.

The Chair:

I'm sure our friends from China may want to help us out with that. There's

quite a lot of bikes over there and they seem to manage it pretty well.

Ms. McDonald:

I appreciate where Councilman Cohen is coming from and I wholeheartedly do support this amendment.

When this was being discussed and debated at Council through e-mail, through letters and even at editorials, it's been indicated that people have a real issue with bicycles in residential areas in addition to the business area. We want to be a bike friendly city, that we want to maintain. But there has to be some type of balance to make sure we can get a win-win.

So, I wholeheartedly support Councilman Cohen for responding to the very people who also contacted me. To look at it in a broader view. That Citizen's Taskforce may come back with, well we can't change anything or it's not feasible or there may be some minor tweaking in terms of ordinances and legislation that need to be brought forward, we don't know. But, it's an excellent idea for them to at least sit down and discuss it.

It may just be a matter of communication throughout communities, we don't know. But, certainly this is not going to be something that legislates kids up and down on sidewalks, if it's more than two wheels. Come on now, there's three wheels, training wheels, which make it four. This is not to legislate children, but it is indeed to take a look and see if there's anything that can be done to allay some of the concerns of citizens that live in certain areas of this city, particularly the Oakland District.

So, I wholeheartedly support it. It really doesn't change the legislation. All it does is say let's convene a group so we can look at it in a more broader fashion.

The Chair:

When I was a kid, I don't know what the answer is, if you have an answer for it. In Frick Park, we weren't allowed to ride our bikes on the trails. Of course, you had the park police then. I don't know if mountain bikes are any problem anymore or not. So, it might be interesting to find out some of the pros and cons.

Mr. Cohen:

There, at least, has to be some enforcement.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

The bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Six **NOES** Two

(Mr. Ferlo and Mr. Onorato voted no)

The bills have received the legally required number of votes and are passed finally.

MR. FERLO PRESENTED:

Bill No. 2147:

Report of the Committee on Engineering and Construction for September 29, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2050:

Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing "Building Maintenance" line item by \$13,928.00.

Which was read.

Also,

Bill No. 2051:

Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction and the Director of the Department of Public Works to abandon the Plank Street (formerly Bridge Street) Bridge located between Independence Street and Wabash

Street in the West End, 20th Ward of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2052:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the installation of banners at Mellon Square; at a cost not to exceed \$13,928.00.

Which was read.

Also,

Bill No. 2053:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the construction of a concession stand at Fort Pitt field; providing for the purchase of materials and supplies for said project; at a cost not to exceed \$39,000.00. —(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2054:

Resolution Further amending Resolution No. 781, effective January 1, 1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by creating a new line item

entitled "Concession Stands." —
(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Eight NOES None

(Mr. Ferlo voted no on Bill No. 2051)

The bills have received the legally required number of votes and are passed finally.

Under Motions and Resolutions, we have three re-appointments and four appointments to the Mayor's Committee on Business and Employment Opportunity.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTS:

No. 2148 Resolution re-appointing Yvonne Cook, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2149 Resolution re-appointing Richard Bellisario, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2150 Resolution re-appointing Sheila Washington, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2151 Resolution re-appointing Gregg M. Kander, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2152 Resolution Appointing James R. Herring, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2003.

No. 2153 Resolution Appointing Tawanda D. Carlisle, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2001.

No. 2154 Resolution Appointing Vernon R. Brown, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

Mr. Ferlo:

Mr. President I hate to show my ignorance but I will because I have no idea what this committee is. Could somebody please explain what this committee is?

The Chair:

Might I suggest we look at the resumes and we can vote next week. If anyone wants to bring any of them in front of us, we can do that.

Mr. Ferlo:

Could the Clerk please bring us up-to-date on what this Committee is?

The Chair:

We'll do that and then we can vote on it next week.

Do you want to do that?

Mr. Ferlo:

I don't know if we're voting to receive and file or voting to confirm some individuals; I have no idea.

Could the Clerk give us some advice here?

Ms. Johnson-Wasler:

This is pending Council's confirmation of these appointments and re-appointments.

Mr. Ferlo:

Where did this committee come from?

Mr. Ricciardi:

Is this a charter amendment or a resolution or an ordinance? Who formed this committee?

Ms. McDonald:

If I can explain. This committee was formulated when there was the debate and dialogue about the Pittsburgh Works Legislation. This was part of the Executive Order in which the construction jobs were addressed and the formation of a new committee which would replace the existing minority and women's MBE/WBE Review Committee that exists now. That would be replaced with Business Employment Opportunity Committee. This is part of the Mayor's Executive Order. It's just an explanation.

Mr. Ferlo:

I would like to ask consideration that Mr. Arsenie (Phonetic) who's supposed to be working on ensuring the prevailing rate and who has more direct access to the employment records of contractors be considered for this committee also, if I understand what this committee does.

The Chair:

Why don't we invite the chair of this committee to come in front of Council so we can, at least, update ourselves.

Ms. McDonald:

There is no chair, this is a brand new committee.

The Chair:

There's no chair of the committee?

Ms. McDonald:

No.

Mr. Ricciardi:

This is the MBE/WBE enterprise? Are they out of business?

Ms. Johnson-Wasler:

It's just a matter of information. You're re-appointing three members from the existing MBE/WBE Committee. So, I'm assuming that this is what it's doing, it's bringing the two together. You do have acting members now.

The Chair:

What is the pleasure of the body? Do you want to wait one week and review their resumes or do you want to vote today?

Mr. Ricciardi:

I look forward to interviewing all the applicants. At the same time, I think representatives from the Mayor's Office should come and talk to us about the committee. I know that Valerie McDonald has done some very fine work in this field, but we also have to know the position of the Administration. For example, will all the authority contracts go through this committee for review also? That's a question that I have.

The Chair:

We will ask them to come in front of us next Wednesday, if possible.

Anything else under Motions and Resolutions?

Mr. Diven:

Mr. President, I would just like to have my affirmative votes recorded on the bills that I missed while I was out of the room.

The Chair:

So moved.

Again, I want to commend you on the computers. I was there early, but I couldn't stay for the whole event. But, you really did an excellent job out there.

How many computers?

Mr. Diven:

Actually there was, I think, 17 computers with internet access.

I'd like to thank Stargate Industries for actually donating, I believe, \$10,000.00 worth of equipment and service to provide free internet access at that site.

The Chair:

It really is an outstanding facility and it's opened for the young and old.

Mr. Diven:

We're working with some of the area universities to bring in interns to run computer classes. In the afternoon, we're scheduling for seniors. After school hours we're doing an after school tutoring program. In the evenings, we hope to get started with an adult computer education class that would be free to the public.

The Chair:

If we didn't do it, why don't we run it on the cable? Maybe our cable network station can go out and do something on it. I think we can run that. I think it's a great idea and I want to commend you for your spirit.

Anything else under Motions and Resolutions?

Hearing none, we will excuse the absent member.

MS. MCDONALD moved to excuse the absent member.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Excuse me, I do want to announce that at 2:00 today the Mayor's capital budget draft summary will be here in Council.

Can I have a motion to approve the minutes?

MR. RICCIARDI moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, October 12, 1999

PRESENT:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

ABSENT:

Mr. Ferlo

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a very special guest, Joel Benning. He's a student at Central Catholic High School. As you can see,

he's a Boy Scout. He's in the 12th grade and he lives in Councilman Onorato's district.

Joel Benning:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Joel. We have a gift for you.

We have special guests in the audience. Mr. Onorato, do you want to bring yours up first?

Mr. Onorato:

Joel, you may as well come back over here. I'm also going to invite up Joel's mom, Cheryl Edwards; grandmother, Leola Edwards; and scout leader, Walter Hall. If you can all come up here, I'll read the proclamation.

As they're walking forward, Mr. President and members of the audience, I'm going to read this proclamation for Joel. I just want to point out that this is an example of the fine young individuals that are in the City that's doing great work and sometimes don't get noticed. I'm glad to be able to bring him down here today and to show everyone the greatness of the

youth in this city and what is happening in the neighborhoods.

PRESENTATIONS

MR. ONORATO PRESENTS:

No. 2155 WHEREAS, Joel Lamont Benning had his first scouting experiences with Youth Opportunity Unlimited on September 1, 1992; and

WHEREAS, since that time, Joel has advanced through the ranks to become Troop 678's first Eagle Scout; and

WHEREAS, Joel has held various positions in this troop: Patrol Leader, Senior Patrol Leader, Troop Guide, Master of Ceremony for Court of Honor Programs, Camp Counselor/Trading Post Clerk to name a few; and

WHEREAS, Joel was nominated for the "Thurgood Marshall Achiever Award" in 1998 and 1999. Joel has earned 30 merit badges and he was also nominated for the "Good Scout Award" in June, 1998, and was nominated and awarded the "Good Scout Award" on June 8, 1999; and

WHEREAS, Joel's Eagle Project consisted of planning and creating a Reading/Resource Library where neighborhood children can come and do their homework assignments; and

WHEREAS, Joel is a senior at Central Catholic High School, he has been an active volunteer in his community since pre-school. For example, he serves in the Youth Ministry, Food Drive, Escort Services for AGH, Tutor for Allegheny Youth Development, Annual Flower

Beautification Project, Flag Ceremonies, and the Adopt-A-Highway Program as well as many other scouting and non-scouting events and programs. Joel plans to attend college and major in Computer Sciences.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Joel Lamont Benning for achieving Boy Scout's highest honor of Eagle Scout, and Council thanks Joel for his never-ending commitment and service to his community; and

BE IT FURTHER RESOLVED, that City Council does hereby proclaim Saturday, October 16, 1999 as "Joel Benning" day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Joel, I want to first thank you for all the services you provide to the community you live in. I also want to congratulate you in achieving Eagle Scout. Over the years, I got to go to certain ceremonies for Eagle Scouts. If anyone is not familiar, it's an unbelievable amount of work you have to achieve to become an Eagle Scout. You should be congratulated for sticking to it and not being discouraged on the way. All of the City thanks you for making the North Side and the City a better place to live.

Thank you, Joel.

Mr. Benning:

I'm not much for speeches. So, I just say, thank you.

Mr. Onorato:

I also discovered that your Troop Leader, Walter Hall is here today. Walter and I grew up together. I didn't realize he was part of the ceremony today. So, now I know what he's doing with his life. He should be congratulated too for helping out the youth of the community.

Thanks Walter.

Mr. Hall:

I just want to say this morning that all of the accomplishments that Joel has accomplished through the Boy Scouts is just as well my accomplishments. To see a young man who I have watched grow up from being a Cub Scout to a Boy Scout is just an honor to see a young man stick to something as Mr. Onorato has said. He stuck with a program that a lot of teenagers usually give up when they try to become an Eagle Scout. I'm just here to say Joel thank you for sticking to the program.

Thank you.

The Chair:

Would the members of the British-American Business Council please come up?

We're honored to have with us Minnie Evans the Director of the Pittsburgh region and Steve Cann is a member of Networking USA delegation.

I spent some time this morning learning a lot. I'll let them speak on what they're doing. But, it's very exciting to see how much involvement we are getting in the potential of helping each other business wise. Steve comes from a city which was a former coal industry and steel much like Pittsburgh. I'll let him tell you, but he says we're about 10 years ahead of him. Our hard work is paying off and we hope we can help each other.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENTS:

No. 2156 WHEREAS, the United Kingdom is the largest overseas investor in the United States and receives more than 40% of United States investment in Europe; and,

WHEREAS, the United Kingdom and the United States, respectively, provide an excellent base for onward business development into Europe and the Americas, each employing about a million of each others citizenry; and,

WHEREAS, the British-American Business Council is the largest transatlantic business organization, consisting of 32 British-American Chambers of Commerce and business associations based in major cities in North America and the United Kingdom to support the unique business partnership between the United ; and,

WHEREAS, the business associations who participate in the British-American Business Council collectively represent more than 4,000 companies and 10,000 high-level executives are all dedicated to helping their member

companies build and manage their businesses; and,

WHEREAS, the British-American Business Council - Pittsburgh Region Incorporated assists in supporting one of the most substantial business relationships between any two countries in the world; and,

WHEREAS, "Networking USA" is the collaborative international business program sponsored by the British-American Business Council - Pittsburgh Region, Honorary British Consul-Pittsburgh, British Trade Office - New York, Barnsley Business Link and the Doncaster Business Link; and,

WHEREAS, "Networking USA" is a highly successful best practices learning initiative which brings managing directors of small and medium sized companies from the United Kingdom to the Pittsburgh Region to learn business practices from Pittsburgh Companies; and,

WHEREAS, the "Networking USA" delegation includes individuals and companies from Barnsley and Doncaster, England:

Geoff Bates
Alex Buchannan
Steve Cann
Marcus Chipp
Gary Foster
Jim Harrison
Michael Rix
David Stephenson
Mike Thornhill

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the

British-American Business Council Pittsburgh Region on an outstanding program and especially recognizes the delegation from Barnsley and Doncaster, England; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby extend proclaim Tuesday, October 12, 1999 as "Networking USA Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cann:

Thank you very much, indeed. I'd like to thank the Council in Pittsburgh for this proclamation this morning.

We've had a long term relationship now with Pittsburgh. This is the third year we've been here on this business exchange. The hospitality we've received from the people in Pittsburgh from businesses and from the Council and also, in particular, from the British-American Business Council who have been very involved in organizing our trip here, has been excellent. I'd like to say thank you very much for that.

This is a program that's ongoing. We see very much Pittsburgh as being exemplary of an area and a region that has moved forward having gone through a great change in its industrial base. We would like to see ourselves as moving in that same area. I do believe, as Councilman O'Connor said, we are now

probably 8 to 10 years behind, but we're trying to catch up.

Thank you very much.

Ms. Evans:

On behalf of the British-American Business Council Pittsburgh Region, I'd like to thank City Council for today's proclamation in recognizing this highly successful initiative we have taking place with Barnsley/Doncaster Region of the UK. Also, I'd like to thank the civic and business leaders of the Pittsburgh region for supporting our efforts to promote the Pittsburgh region with international trade and investment with the UK.

Thank you very much and thank you President O'Connor.

The Chair:

I believe we have three to be read into the record.

**MR. COHEN AND MR. O'CONNOR
PRESENT:**

No. 2157 WHEREAS, the Jewish National Fund owns or manages 92% of the land in the State of Israel, has planted over 210 million trees, has built roads, parks and recreation areas, has turned archaeological sites into important tourist areas, has built dams and reservoirs to increase Israel's water supply, has developed land for housing, industry and farming, and is a major employer of new immigrants in the country; and

WHEREAS, community leader Frank Cahouet will be honored by the Pittsburgh and Tri-State Region Jewish

National Fund at its Tree of Life Award Dinner on Wednesday evening, October 13, 1999; and

WHEREAS, Frank Cahouet, retired Chairman, President and Chief Executive Officer of Mellon Bank Corporation, has figured prominently in the banking industry, beginning with 24 years at Security Pacific National Bank, where he rose to Vice Chairman and Chief Financial Officer, to Chairman and Chief Executive Officer of Crocker National Bank, to President and Chief Operating Officer of the Federal National Mortgage Association, also known as Fannie Mae; and

WHEREAS, when Frank Cahouet joined Mellon Bank in 1987, he set in place a series of initiatives to improve asset quality and streamline operations, and by the time he retired in 1998, Mellon was transformed into a leading provider of asset management services and became the number one bank manager of mutual funds with the acquisition of the Boston Company and the Dreyfuss Corporation; and

WHEREAS, Frank Cahouet has been a leader in the many civic causes he has served, including a director of the World Affairs Council of Pittsburgh and the Greater Pittsburgh Council of the Boy Scouts of America as well as trustee of Carnegie Mellon University and the University of Pittsburgh, and is the founding chairman and a director of the Pittsburgh Regional Alliance and a member of the Board of Trustees for the Historical Society of Western Pennsylvania; and

WHEREAS, Frank and Ann, his wife of 42 years, are the loving parents of two daughters and two sons; and

WHEREAS, in recognition of Frank Cahouet's professional and community service, proceeds from the Tree of Life Award Dinner will be used to plant a forest in his name at the American Independence Park outside Jerusalem.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Frank Cahouet for his dedicated years of service to our community.

MR. HERTZBERG PRESENTS:

No. 2158 WHEREAS, on Sunday October 10, 1999 Holy Innocents Parish will begin the Celebration of its 100th Anniversary; and

WHEREAS, Holy Innocents Parish was formally established on Sunday, October 7, 1900, the Feast of the Holy Rosary, after several Sheraden Catholics organized a petition for a Parish in Sheraden; and

WHEREAS, October 5, 1900, Father O'Shea was sent to Sheraden to become the first pastor of the newly founded Parish of Holy Innocents; and

WHEREAS, Holy Innocents Parish's first Mass was celebrated in Clement's Hall, a renovated barn on Adon Street, and thereafter used for fifteen months; and

WHEREAS, Holy Innocents Parish has also had two other temporary worship

sites where Sunday and daily Masses were celebrated; and

WHEREAS, on Sunday, June 21, 1925, Bishop Hugh Boyle dedicated the present Church, Monsignor John M. Cordori celebrated a Solemn Mass, and Monsignor Stephen Walsh preached the sermon; and

WHEREAS, on Sunday, October 10, 1999 a Mass will be concelebrated by Bishop William Winter, Auxiliary Bishop of Pittsburgh along with the present Pastor, Reverend Donald N. Buchleitner and Pastoral Vicar, Reverend John Corbett, followed by a reception to solemnize the beginning of a year long observance of the Centennial of Holy Innocents Church.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to Congratulate Holy Innocents Parish on their 100 years as a Catholic Community.

MS. MCDONALD PRESENTS:

No. 2159 WHEREAS, Ebenezer Baptist Church will celebrate their annual Woman's Day on Sunday, October 10, 1999, with Mrs. Brenda Tate as this years chairperson; and

WHEREAS, "A Woman For All Seasons" will be used as the theme for this year's Woman's Day Program and the scripture "To everything there is a season, and a time to every purpose under the Heavens," Ecclesiastes 3:1; and

WHEREAS, Ebenezer Baptist Church will honor Mrs. Rebecca Anderson Boyd.

Mrs. Boyd is a deaconess and is a living witness to God's Grace and Goodness. She will represent the senior years of life, "Fall" and "Winter." Past honorees include Ms. Robin Nicole Edwards, honored in May, and Mrs. Barbara Brown King, honored in August; and

WHEREAS, Ebenezer first opened their doors to the community 124 years ago.

Today, Ebenezer Baptist Church is one of the oldest and largest African-American Churches in the City of Pittsburgh. Ebenezer Baptist Church continues to serve the local community through housing and community outreach services.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Ladies of Ebenezer Baptist Church on their Annual Women's Day Program and wishes you continued blessings for the future.

MR. DIVEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

At this time we will move to public comments. Anyone wishing to address Council please state your name and address for the record. You have three minutes.

PUBLIC COMMENTS

Mr. English:

My name is Gary English. I reside at 1504 Fairmont Street, highest property tax in a community in Allegheny County.

There was an article in Sunday's Pittsburgh Tribune Review, Parking Curbs Vision for City. It says more lots are needed for Fifth Avenue and Forbes project. What I find interesting is parking has been a problem in the City of Pittsburgh for a long time.

Thursday evening was exemplary of that problem. I came into town to enjoy a meal at a restaurant called Ball Hallus (Phonetic). I proceeded down Mulberry Way which is an alley that runs to parallel to Penn Avenue and Smallman Street, right at the edge of the Strip District by the Convention Center.

When I got directly behind Ball Hallus, there was construction going on there where they were replacing the new sewer line and some pipes were standing up blocking some signage and what have you. We went into the restaurant and had a nice meal. However, when I came out, our vehicle was gone. I parked in the lot directly behind Ball Hallus, I did not see signs when we came into the lot, yes there were signs posted, "Private Parking."

The lot operator or owner, which I could not find out for today's meeting, has a nice deal going on with the tow operator. The tow operator towed the vehicle over to Chartier's Avenue, it's called All Pro Detail and Tow. Because it was on private property, we did not get a parking ticket. What we got was a \$150.00 ransom note to get our vehicle back. You wonder why people do not want to come to the City.

This is clearly an example why people do not want to come to the City of Pittsburgh when they park in an empty lot at 8:30 in the evening on a Thursday. And you wonder why people don't want to come down.

What I thought was interesting is the tow operator told us, hey just say that you broke down and turn it into your insurance company. Yeah, no hurt parties. We get our \$150.00 cash and you get reimbursed from your insurance company. I'm sorry I cannot and I will not commit insurance fraud.

I think City Council has a responsibility to get shysters (Phonetic) like this out of the City. This gives you a black eye. I have no intentions of ever patroning any city business again unless this can be resolved.

Thank you.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

Last week as I was speaking to the Chinese students, the foreign students, that had came to City Council, the comment was made about the disrespect that some of you showed the elder lady, Mrs. Urquhart. That brought to mind what Mr. Foerster had said, perception is reality. The reality is that you, Councilmen and Councilwoman, are very disrespectful to the members of your community.

Another thing I would like to bring for a point of interest is that the citizens of Pittsburgh need to know that in November

of 1998, now this is almost November of 1999, that I had went to an open meeting at the School Board requesting that parents have a meeting with Chief Fadzen regarding the security of our children. Chief Fadzen had agreed in May of 1999, we're almost at the end of '99 and the meeting has still not been held.

I feel that Council has helped this man, the chief of security, to continue to let our children be placed in very disturbing circumstances. We are still worried about how a security guard was able to go into a classroom, take a young boy out of his class and they were found up on the third floor wrestling. Now, keep in mind, I did not say anything else but wrestling.

I was kind of at a mood when I saw Mr. Ferlo, how upset he was that the School Board had made a decision to take and give TIFs to Heinz. He was upset and he said he was going to write a letter. Why couldn't he have written a letter when people came and said that there's a problem with the safety of our children?

I look at this Council, you have some of you who are fighting for gay rights, I have nothing against that. But, these are adults who make the decision on what they would like to do to fight for their rights. But, the child, it's kind of hard especially when you have a School Board that had made the decision in 1996 to spend \$2.5 million dollars in a school that only 5 black children attended. Yet, in Homewood our children had no heat. This is the type of things that the School Board has done. We parents are saying we want Chief Fadzen to be removed and placed, not like they did last year. They gave him a whole year that he was on

suspension and he was paid, approximately, \$51,000 a year.

Also, we parents want parents to understand why we are so upset. Chief Fadzen refers to our Afro-American children as monkeys. Now, I'm still talking because they pushed the button on purpose, but this thing is not working correctly. I still have 43 seconds here, but I'm going to go.

We still want Chief Fadzen in a thorough investigation. We have a drunk driver who was a security guard, he is still driving. I saw him over at Oliver. We need our children to be safe when they go to our Pittsburgh Public Schools.

Thank you. Have a nice day.

The Chair:

Thank you.

Next speaker please.

Ms. Urquhart:

My name is Dorothy Urquhart. I reside in East Liberty at 5811 Penn Circle North, P.O. Box 5491.

It is a sad state of affair when the leaders here in Pittsburgh cannot and will not acknowledge fraud when evidence has been presented to them. I have brought pictures, papers and all to City Council. This evidence is for the Mayor's Office and anyone else. Right now, I'm sick again, every year because of my house is so drafty and so cold. I have a virus, I have emphysema, I should have a tank, my oxygen tank, but because of it being so heavy, I don't carry it.

I am tired of coming down here and telling people. I've invited Council to come out and see the house. I want to thank Sala Udin for coming out and investigating the house and looking at it and seeing the deplorable state that my house was left in and that each month, right now, I have to pay \$600.00 a month. It's ridiculous and somebody will hear me.

You see, this city is evil in its rule by a few white men who has the money. They tell you Councilpeople what to vote on and what not. You better open your eyes, your hearts are as hard as Pharaoh's heart was. But, I tell you what, there's a God that made it soft and that same God will make your heart just as soft. What I'd doing is I'm coming here and I'm telling you the wrong that's being committed in this City. Two people who borrowed money and the people are being frauded out of their money and their homes. They're losing their homes under this scheme and you are ignoring me. I come here week after week. You may ignore me, but there's a God that you cannot ignore. I tell you what, He will say the last word, He will.

To each and every one of you -- Mr. O'Connor, yes, you may not believe but I tell you what, that same God can soften your heart where you will come and you will see and you will believe. Fraud is fraud, it doesn't matter whether it was did by somebody in the City. If I had did it, I would be in jail. But, no, somebody in the City did it, the Urban Redevelopment. Investigate that, why leave it open so other people can get hurt the same as I have. I'm tired of paying for something I do not have. Until I get it corrected, I will be down here. I'm tired of being cold and

paying for something I do not have. I would like to live in a house just the way you all have a house. I'd like to make it a home and go back to my home like you do.

The Chair:

Thank you.

Next speaker, please.

Ms. Kelly:

Hi, my name is Gigi Kelly. I live at 2904 Amy Drive, Library. I am here as a representative for Baskets for Babies, once again I'm here. Today I'm here to ask once again for your help.

Our program is to help solve a problem or, at least, bring to light a problem of women abandoning unwanted children and leaving them to die behind churches, in rivers and in garbage bags. We started in April, six months today, and we have gone from 30 to 582 baskets. We are in all of Southwestern Pennsylvania and we have baskets in Dolphin County and have had some contacts in Delaware.

Winter is soon approaching and I need help to get indoor sites secured for our baskets. Recently, in Texas, a law has been passed called the Abandon Baby Bill. It was brought to light by a pediatrician and his niece who is a judge. They have amended their family law and their penal codes to state that if a woman leaves a child under the age of 30 days in a designated license area, she will not be prosecuted.

I come to you today for your help because the City Solicitor's Office has said that this is enabling abandonment, this

program. I see it as preventing murder. We have no other way to help solve this problem. We need to become creative and we need to open our minds as well as our hearts to new ideas. We need to get indoor sites, even from October to May, and put a basket in. These babies die from the elements. We have to have something done.

So, I'm appealing to you with your power, your passion, and your influence here in the City to help me talk to the City Solicitor's Office and the Public Safety Committee. I've talked to representatives from Local Union One, Joe King and Donald Dorsey. At Local Union Number One, the fire fighters have 35 baskets ready with baskets to go into these fire houses and the City and Law Department has stood in our way stating that we are enabling abandonment.

Abandonment to me is just leaving your baby to die somewhere. My people in my organization, by putting this basket on their front porch, they're taking the responsibility saying that if you put a baby in this basket I am going to accept temporary charge of this child and I will get the child to the proper place. That's not abandonment, that's putting your child someplace with someone who cares.

We need to get this taken care of in the City of Pittsburgh. This is a city for the people and we need to make some changes. These babies count on us and their lives depend on us. I'm asking you for your help to get to the government and the city.

I passed this information out to Councilman Ricciardi and Councilman

Hertzberg and they're going to share them with the rest of Council.

I thank you for your time once again.

Mr. Ricciardi:

Thank you, Mr. President and colleagues. I'd also like to thank Ms. Gigi Kelly and her colleague Rhonda for coming and joining us today and giving that very articulate, passionate presentation.

Just for your information, tomorrow we will be discussing a bill that was sponsored by Mr. Hertzberg and myself directing and authorizing the Administration to establish a Basket for Babies Program here in the City of Pittsburgh. Tomorrow, obviously, we can talk in much more detail about it.

Ms. Kelly brings up a very good point. That is that she believes it's not a program to assist abandonment, but it's a program to stop murder. That's one way to state it. I think our Chief of Police needs to realize also that it's a program to save a child.

Mr. O'Connor as you know you had a very tragic, unfortunate incident in your district. I know you were very involved with the aftermath including the very distressful burial of a very small child.

I think that we have to bring all the parties together tomorrow and see what the problem is. The Chief's problem, basically, the way I understand it through Mr. Hertzberg, is that he is stated that once a baby is abandoned, it cannot be any

questions asked. But, there has to be an investigation and there has to be prosecution.

But, we have the District Attorney here in the City of Pittsburgh who's thinking outside of the box, Mr. Steven Zappala. That is, let's just save a child. A mom that is so depressed or distressful and is unwilling to accept the responsibility of a child, if she believes that she just wants to rid herself of a baby, at least rid herself of a baby inside one of our baskets that would be in one of our fire stations where then we can take over and do it the right way.

I think there's much discussion that needs to be brought forward tomorrow. I thank Mr. Zappala, I thank Ms. Kelly, and I thank Mr. Hertzberg who had the initial resolution, proclamation. Hopefully, this bill that I proposed last week with the help of Mr. Hertzberg, we can move forward.

It would be a tragic if we allow short sightedness and this winter a baby passes, that would be a tragic. I think Mr. O'Connor, you will agree with us tomorrow.

Thank you.

Mr. Hertzberg:

I want to thank Mr. Ricciardi for shortly he will be introducing this resolution. I hope Council will pay careful attention to this issue. I think when they do, when you hear it all, I hope you're listening now, but when you hear it all you're going to support this resolution. I think if we all stand unified on this issue, I think we can succeed and we can help Ms. Kelly who's worked so hard, so tirelessly,

hour after hour, just because she's upset by some of the terrible things that have happened to some newborn babies. She's really put together a network of volunteers. I think it's unprecedented.

You should have in front of you, in fact, something that's -- this is branching out all over the place. This is from Dolphin County, which is Harrisburg/Pennsylvania. You can see the Commissioners there have taken the step of establishing 24-hour locations that are county facilities. They're open 24 hours a day, a Dolphin Manor Nursing Home, where the baskets can be placed.

I think we can do the same thing with our firehouses, they're open 24 hours a day. The firefighters have stepped up. They're ready, willing and able to participate in the program. I think the Chief is looking at this from kind of hypertechnical standpoint. I think if you look at the big picture and what adoption agencies do, that's what they do. They usually guarantee (inaudible) to the mother in taking a child through an adoption process.

We're just trying to get this in a situation where you have a new mother who's in a state of panic, which I think the psychologist will tell you why it happens and that it does happen. We need to have something that's set up that can accept some of these infants and, hopefully, we can save some.

I'm proud to say that my wife and I participate in this Baskets for Babies program. We have a basket on our front porch now and I'm going to do everything I can to see that the City participates as well.

The Chair:

I certainly agree with everything all three of you have said. I want to thank Ms. Kelly for coming down here. Anything you want to present to Council before tomorrow's discussion, we'll all be available to speak with you. Again, keep up the fine work.

We will have that on the table tomorrow. Are you introducing it today, Councilman Ricciardi?

Mr. Ricciardi:

Yes.

The Chair:

We'll Rule 8 it today?

Mr. Ricciardi:

That's fine, we will.

The Chair:

Anyone else wishing to address Council?

We will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. HERTZBERG PRESENTED:

No. 2160 Resolution granting unto Equity Capitol Holdings, Allegheny Tower Limited Partnership, 625 Stanwix Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own

cost and expense, (2) two signs with lettering on both sides projecting over the sidewalk area of 625 Stanwix Street and over the entrance of Fort Duquesne Blvd., in the 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 2161 Resolution granting unto Russell and Irene Lanza, 1081 Greentree Road, Pittsburgh, Pennsylvania 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, parking area and driveway for expansion of a warehouse at Lampe Avenue, between the terminals of Greentree Road and the dead end portion of Lampe Avenue in the 20th Ward, 2nd Council District of the City of Pittsburgh.

No. 2162 Resolution Vacating a portion of Ibsen Way between Ikon and Isles Ways in the 14th Ward, 5th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works and Environmental Services.

MS. MCDONALD PRESENTED:

No. 2163 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh ("Authority") providing for the transfer of \$16,993.32 from the Authority to the Bureau of Building Inspection for the demolition of Ladora Way. (Council District No. 5). -- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. RICCIARDI PRESENTED:

No. 2164 Resolution amending Resolution No. 395 of 1998, effective July 7, 1998, entitled, "Resolution approving the Redevelopment Proposal dated March, 1998 including Modification No. 6 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty, in the 11th Ward of the City of Pittsburgh (Council District No. 9)" by inserting language to require the City to provide assistance for displaced businesses. -- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

No. 2165 Resolution authorizing and directing the Office of the Mayor, Director of the Department of Public Safety, Chief of the Bureau of Police, Chief of the Bureau of Fire and Chief of the Bureau of EMS to establish a "Baskets for Babies Program." This Program shall place a basket from the Baskets for Babies Program in each of the City's Fire Houses. --(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety Services.

No. 2166 Resolution amending Resolution 60, effective February 24, 1997 granting unto Patricia Rethage, 131 Hackstown Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a driveway and guard rail on a portion of the right-of-way on Hackstown Street in the 17th Ward, 3rd Council

District of the City of Pittsburgh to add the following corrections. —(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Works, and Environmental Services.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so that these bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 2167 Resolution providing for the issuance of a \$6,670.00 warrant in favor of Lois McCullough, of 1311 Columbus Avenue, Pittsburgh, PA 15233 in settlement of a claim in which City tree roots caused sewer pipe damage.

No. 2168 Resolution providing the necessary consent for the Stadium Authority of the City of Pittsburgh (the "Stadium Authority") to terminate the long-term lease by and between the Stadium Authority and the Public Parking Authority (the "Parking Lease") and the sub-lease to Alco Parking Corporation (the "Sub-Lease") encumbering premises owned by the Stadium Authority in the 22nd Ward of the City of Pittsburgh, to amend both the Basic Agreement by and between the Stadium Authority, the Public Parking Authority, Pittsburgh Associates, L.P., and Pittsburgh Steeler Sports, Inc. (the "Basic Agreement") and the consent decree entered March 31, 1989 by the

Court of Common Pleas of Allegheny County, Pennsylvania at General Docket Number 88-12651 (the "Consent Decree"), and to enter into a new primary lease with Alco Parking Corporation, which lease shall provide long-term leasehold rights in premises owned by the Stadium Authority in the 22nd Ward of the City of Pittsburgh, which premises are a portion of the premises subject to the Parking Lease and Sub-Lease that are not necessary for the new construction.

No. 2169 Resolution Changing the name of the Public Auditorium Authority of Pittsburgh and Allegheny County to the Sports and Exhibition Authority of Pittsburgh and Allegheny County.

No. 2170 Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City in compliance with the Local Government Unit Debt Act by the issuance of General Obligation Bonds in the aggregate principal amount of \$_____, consisting of the (composite) Series A of 1999 Bonds issued to provide funds to pay the costs of various capital improvements and to pay the costs of issuance of the Bonds; accepting one or more proposals for the purchase of the same; approving the incurrence of the nonelectoral debt; fixing the number, date, interest payment dates and maturities of the Bonds; establishing the medium of payment; establishing requirements for registration and transfer; providing for payment of principal and interest; fixing the redemption provisions of the Bonds; stating that the Bonds shall be general obligation bonds and shall constitute nonelectoral debt; establishing the form of the Bonds; authorizing the execution of the Bonds; pledging the city's full faith and credit for the payment of

principal and interest; authorizing the creation of the sinking fund; authorizing the appointment of the paying agent, the bond registrar and the sinking fund depository; authorizing the filing for approval of said debt with the Department of Community and Economic Development and authorizing the payment of the required filing fee; ratifying the preliminary official statement and the distribution thereof, designating and ratifying the prior designation of the preliminary official statement as a "final official statement" and the use thereof in connection with the sale of the bonds; appropriating the Bond proceeds for designated purposes; covenanting that the bonds will not become arbitrage bonds; authorizing and directing preparation, execution and delivery of all required documentation; accepting and authorizing the execution and delivery of the commitment for municipal bond insurance; authorizing payment of expenses; covenanting to provide continuing disclosure; providing for severability of sections; establishing the effective date of Resolution; and repealing inconsistent resolutions and ordinances.

Which were severally read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2171 Communication from Jacqueline R. Morrow, City Solicitor, submitting Claim Reports for third quarter and for September, 1999

No. 2172 Communication from City Controller, Tom Flaherty, submitting a Performance Audit of the Department of Public Works Snow and Ice Removal for January 1999.

Which were read, received and filed.

MR. RICCIARDI moved to receive the read and file.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to Unfinished Business. Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

I would like to speak for a moment about the Mayor's Neighborhood Needs meetings.

There are, I guess, in every council district, to my knowledge, a Mayor's Neighborhood Needs meeting. The understanding that I was under was that the one in Council District 2 would be held, Monday, October 18th at Greenway Middle School from 7:00 to 9:00 p.m. I have put that into my schedule and I'm prepared to co-chair the meeting that evening. I was asked by the Mayor's Office did I want to invite everyone in the Council District. My answer was yes I did. I would like to have not just certain community groups, but I think every constituent should have the opportunity to attend the meeting.

Unfortunately over the weekend, I received some feedback that there's been a great deal of confusion, at least in the Mt. Washington area, Mt. Washington and Duquense Heights neighborhoods of

Council District 2. I had at least one person indicate they had received a notice to attend the meeting being co-chaired by Councilman Ricciardi which, in fact, is tonight. I had another individual report that they had received a notice to attend the meeting being co-chaired by Councilman Diven which is being held October 27th. I also received feedback from probably the majority of the people that they have received notices for three meetings, the one I'm co-chairing, the one Councilman Ricciardi's co-chairing and the one Councilman Diven's co-chairing.

We checked with the people responsible for sending out the notices and were told that the reason for this was that CIS did not have a data base that was based on council districts. So, I think to the extent we're being told that this is something that we're working with the City Council on, I really question who this is for whether it's really for Council and the Mayor or whether it's just for the Mayor's schedule.

At any rate, to the extent there are any people in Mt. Washington or Duquesne Heights that are watching this, I ask them to please attend the meeting that I am co-chairing. I am their Councilman. It's at Greenway Middle School. It will be held next Monday, October 18th from 7:00 to 9:00 p.m. I'm going to call on my fellow Councilmen, Gene Ricciardi and Mike Diven, to the extent that people are confused and I can't blame them for being confused after receiving this mailing, but if they do attend the meetings they're co-chairing, please take careful notes on the requests from within my council district. Please turn them into me and I will try to give due diligence in reviewing those kinds of requests.

I'm really disappointed. I really was happy to participate in this program. It seemed to me we were heading in the right direction with it. To just send these notices out half-hazardly without checking where district lines are and not even caring where they are is really, really disappointing to me.

Mt. Washington and Duquesne Heights, 95 percent of those neighborhoods are located in Council District 2. Councilman Diven has one voting district way down Boggs Avenue in Mt. Washington, that's it, that's all he has. Councilman Ricciardi has none in Mt. Washington. He starts East, it's the hilltop I guess, areas like Allentown, but that's not Mt. Washington.

I just am a little bit disturbed about this. I ask that the constituents that received some of these mailings please try to attend the Greenway Middle School meeting next Monday night from 7:00 to 9:00 p.m.

Mr. Udin:

I think this situation may require your intervention. There seems to be some misunderstanding, certainly on my part, as to how the distribution and the decision of the priorities and the use of these funds was going to unfold. It was my understanding, at least, at first, that the Mayor intended for the Councilmember, in consultation with the residents in their district to determine what the priorities are going to be on the use of those funds. Then we get notice that it is actually the Mayor who is coming to each of the districts holding meetings to determine the priorities. That's a different scenario and

it's different than what I anticipated. It's different than what I would have bought into.

Certainly the Mayor is welcomed to the 6th Council District anytime he likes. But, the meetings to determine those priorities were set up by his staff. I had to write a letter to the Mayor yesterday that the meeting was set up in my district without even consulting my office to determine whether or not I was available. It turns out that the meeting was set for a date that I'm not available. Certainly, as I've said, the Mayor is welcomed to the 6th Council District anytime he likes. But, if it is truly the Mayor's intent that I be present, then his staff has to check to see whether or not the date that they select for that meeting is as neutrally convenient to my schedule as it is to the Mayor's.

Secondly, it's unclear to me what role this meeting has in setting the priorities. If the Councilmember has processes in place to set priorities and those priorities come out different than the priorities that might be expressed at this community meeting, who decides on what the priorities finally are going to be.

So, it's unclear to me if it is the intention of the Mayor and the Administration that Councilmembers for each of these districts will articulate what those priorities are and how the use of that one million dollars is going to be allocated, then it is important that a Councilmember be in the lead in that process and that the process not be confused by a meeting set up by the Mayor where the Mayor comes into each of the Council Districts and engages in a process that may set up different priorities. It is very confusing to me.

I would hope that you can be in touch with the Administration and probably the Deputy Mayors or whoever so that we know exactly how this thing is going to unfold. If I'm not going to be centrally involved in determining or articulating what the priorities are for the 6th Council District, then I don't want to have anything to do with it at all.

Mr. Ricciardi:

Mr. President, obviously I appreciate the comments by our colleagues. We all need to be on the same page. But, I hope we don't lose track of the goal. That goal is that we have a 2000 capital budget that is going to be properly funded because the big line items are not there this year. We also have an additional million dollars in each council district plus the Mayor, himself, has a million dollars so I'm sure he's looking for input across the board, across the City of Pittsburgh. This money is going to come from a surplus. If you look at the previous Administration, you would see the surplus was close to zero. We've worked very hard and diligently, the City Council and Mayor Tom Murphy, to have a surplus that now we're going to put back into the community.

The reason I'm saying this is I did have a block watch meeting last night that was well attended from the South Side Slopes Organization. They, too, were asking about the process. I told them from my viewpoint what I thought the process was.

I just want to end in saying that I hope we all get on the same page. This should be a very positive message that

we're sending out to the taxpayers in the City of Pittsburgh. That is that we've worked hard, we've saved, we've worked up a nice bundle of money and millions of dollars in our surplus, and now we believe that \$10 million of those dollars should go back. I just hope we don't lose track of the positive spin that should be occurring here.

We look forward to these meetings. I'm looking forward to the meeting this evening at South Vo Tech.

Thank you.

Mr. Onorato:

The last time I checked, the Home Rule Charter wasn't amended. I appreciate these meetings and I look forward to the input. But, at the end of the day, five members of Council are going to decide how to spend this money. If they're vetoed, it's going to be six members of Council if the Mayor is not agreeing. That's our format.

It's my understanding that we have a million in each council district. I will look forward to all of my colleagues telling me how they think it should be spent in their particular districts. I will submit my plan, based on the input I get. The Mayor will submit his plan for his million. We put it in and we vote the budget up or down. I think it's very simple, that's how we're going to be doing it.

I know on the North Side we invited community representatives, we did not have a mass mailing, and we had some great input. I couldn't make it, I sent a representative to that particular meeting because I had a conflict. At the same time, I'm doing things on my own of what I

think should be done in my district. I'm going to submit a plan to the eight of you on how I think the million should be spent in Council District No. 1. I would hope that we all do that so that we have an unanimous moving forward of voting of how to spend this capital money.

The Chair:

To follow-up to Mr. Udin, I think you're absolutely right. We'll try to convene a small meeting with the Deputy Mayor to, at least, get our office staff on the same page if there's any misunderstanding when the meetings will be. I certainly look forward to the meetings.

I'm afraid the door is open right now because what I thought was going to be capital expenditures, bricks and mortar fixing what is falling down in all of our neighborhoods, I have organizations now who want social programs, different athletic programs. After hearing the meetings, we'll have to bring it back into perspective. So, that's certainly going to be a challenge for all of us.

Anything else under unfinished business?

Hearing none, we will move to Committee Chair Reports.

COMMITTEE CHAIR REPORTS

Mr. Hertzberg:

The Committee Chair Report from Public Works Committee is as follows:

Our Street Resurfacing Program, we have resurfaced 66 miles of an 83 mile program, expending \$7,139,088.00. We

are on schedule and within budget and expect to successfully complete the goals of the program.

You may recall from our last committee meeting that we had to alter the two-thirds, one-third mix that we had asked for during the beginning of the program. I do feel it's on schedule now. We had to make that change in order to get the program completed.

Under Park Reconstruction, here's a list of additional repairs and renovations since the last report was given. Fence repairs and installation, McKinley Park Activities Building Basketball Court, Fineview Playground, and Boggs School Parklet Basketball Court. I think that's one of Mr. Diven's projects in that one district that he has there in Mt. Washington. We appreciate it. Under Court renovations, Paulson Basketball Court and Burgwin Courts (3).

Our Construction Division, brick and block stone street restoration as repaired, 2,940 square yards at a cost of \$195,356.00. Our program goal is 2,980 square yards. That only leaves about 40 to go.

Concrete Slab Replacement, we have repaired 1,800 square yards at a cost of \$130,638.00. We expect to surpass our program goal of 2,200 square yards and still remain within budget.

Handicap Ramps, we have installed 750 ramps at a cost of \$460,020.00. Our program goal is 1,391 ramps. We are on schedule and within budget.

Playgrounds, retrofits at Eleanor Street and Magee Playgrounds have been

completed. Swisshelm Parklet, Olympia Park and East Carnegie Parklet are currently in progress. They should be completed before the end of the year.

The Vacancy Report, there's nothing extraordinary. Of the 24 administration positions, there are 4 vacancies but 4 have been approved to be filled. Operations, of 459 positions, there are 21 vacant and 7 have been approved to be filled. Environmental Services, of 238 position, there are 16 vacancies with 13 approvals.

That's the report that I received from Acting Director Guy Costa. I would also note though, I think, under this committee we should at least mention the report that's been filed by our City Controller Tom Flaherty, he requested it. I know nearly everyone on Council spoke extensively about some of the problems we had during January 1999 in trying to remove the snow and ice that fell in Pittsburgh and all around Western Pennsylvania.

I want to first compliment Controller Tom Flaherty. This is an exceptional report. It's extremely thorough, well thought out and well written. He had his auditors out in subsequent snowfalls. He had his auditors making comparisons between snowfalls from as far back, I believe, as 1993. With this particular snowfall, he really examined every single aspect of the problems that we had in January. He's come up with some excellent suggestions.

First and foremost, we don't really exonerate the Department of Public Works here. But, I think he does note that part of the problem was the unusual weather we

experienced. In other snowfalls we have been just hampered by snow, sometimes deep and sometimes not so deep. In this particular situation, the problem was more the freezing rain and that's very difficult to deal with for anyone. So, I think he begins with that.

He also puts out some other messages. One of them being when you do have that severe weather, our current plan, at least, in Mr. Flaherty's analysis, may not be the appropriate plan. Our plan has always been premised on the idea that you have to get the main streets cleared off first and you have to make sure those are clear and open before we can get to the back streets.

I think Mr. Flaherty, to his credit, questions whether that is really the right way to do things when you have this kind of weather with the freezing rain and where you have ice that, basically, paralyzes people whether you have the main streets open or not. If you don't get to the back streets, they're paralyzed because they're dealing with ice and not snow.

He makes a number of other suggestions. He documents the number of complaints received there and I think pretty well documents that the biggest problems were within the fourth division. They happened for a number of reasons.

One being the fourth division had never handled particular parts. Particularly those in Mr. O'Connor's district, that being the Lincoln Place area and those surrounding communities that are across Hazelwood on the Monongahela River. They're kind of out there by themselves as far as the city's concerned

and it has always been handled by a different division. Then, after that, they have been handled by Allegheny County in a Cooperation Agreement.

Then to add on to that problem, we had problems with refueling. The facility that has been used there in the past has been a county facility, I'm sorry I believe that was a salt facility. The salt facility was closed down by the county this year in another development and in another problem. Then, we also had problems with our refueling facilities that just, coincidentally, were being renovated at the time and could not be used by our workforces. So, it was like all this happened at once. Then, we had severe weather on top of it.

I could go through issue by issue at this time, but I'm not going to. I will say one thing, Mr. Flaherty doesn't talk about the supervisor of the fourth division, one way or the other. But, I think a fair reading of this document is an exoneration of that individual. I don't think his performance was a problem in this situation at all. The gentleman has been terminated and I'm still upset about that situation.

Mr. Diven:

I just wanted to compliment our Controller, Mr. Flaherty, on a really thorough job with the performance audit. I had a chance to review it and there was one point that I wanted to touch on concerning the audit. That is the issue with the salt box program. I know that last year it was kind of half implemented and the Administration had the idea that they were going to cut back on the salt box program. I think that was one of the things

that also contributed to the overwhelming need for getting more crews out on the street was because those salt boxes weren't there.

Normally, when it snows, people on each individual street and hillside would go out and use the salt boxes and helped to make sure that that ice and snow didn't harden and stay on that ground. Then, when the temperatures dropped the trucks would come by and the salt wouldn't melt them because it was below the point where salt was effective. No matter how many times they drove over it with a plow, that ice was already bonded to the street.

So, I think when we start to look at the budget, when the Administration presents it, I would hope that the continuation and the use of salt boxes is at full strength and funded thoroughly for the next year's budget.

The Chair:

I believe it was an excellent report. Some of it was not very surprising because I think we knew a lot of the things going on. I guess my question to you and to Mr. Costa is when would we be guaranteed that these things are resolved and the correction be in place? Is it fair to you to have an update before Thanksgiving?

Mr. Hertzberg:

Certainly by the next Committee Chair Report it would be fair. You never know, we could end up with a snow fall in October. We need to be ready today, there's no doubt about it. So, hopefully, the report maybe we can address where we stand today for this winter.

The Chair:

I'll notify Mr. Costa. We had an excellent agreement with the county on the 31st ward. I didn't have one snow complaint in three or four years until that broke down. So, if they can make that commitment again. Hopefully, the outgoing commissioners can see it to undo some of the mistakes they've made. One being that that agreement was so basic and so simple and it really benefited everyone. So, I'll be urging that to come back in.

Mr. Ricciardi:

I look forward to reviewing the report in much detail as Mr. Hertzberg has especially regarding the management of the fourth division. Obviously, the Administration has the ability to discharge without reason. However, his reputation, I believe, was tainted during the process and probably has been tainted for his professional career. So, I'm looking forward to receiving, hopefully, some input and a response from the Administration regarding this report and the management of the fourth division.

Once again, if the Mayor wants to let someone go, he could probably do it without toss. But, at the same time, it's wrong to taint someone's professional reputation especially if they're out there in the field today either working professionally or seeking work.

Let me just say this, I appreciate the report as always as brought forward by Councilman Hertzberg. Once again, I always look at the lowest possible denominator out there in the field.

A month or two ago, if not even more, Councilman Diven and I reported an unsafe condition of the 1800 block of Brownsville Road. It's at least 100 feet in length. Because of the port authority and the buses, there is a 12 to 18 inch step over. We continue to pay out judgments, Mr. O'Connor, costing the city probably upwards of hundreds to thousands of dollars. I reported it to Public Works and I reported to the Administration and I reported it to our law department to make sure that they were on notice. Because if someone falls and gets hurt and is injured, I will be testifying for that party in court to make sure that they receive compensation, punitive and other type of damages.

So, what I'm saying is I believe the viewing public appreciates our reports. But, then, they look out their window and in this case, the business community looks out their window and says, gee, it's still there.

So, once again, I just don't understand what the problem is in correcting the 1700 and 1800 block of Brownsville Road. Not only does it look terrible, but it's an unsafe condition. I just throw my hands up. I think that we can talk about stadiums, that the Administration can talk about PNC and Mellon Bank, but the business association in Carrick is not pleased, not pleased at all. The residents that cross that crosswalk at Crailo and Brownsville Road and the young children who are stepping over the asphalt going to the library, they see this day in and day out.

In order to be successful here in the City of Pittsburgh, I think we have to take care of the little things. The big things take care of themselves. PNC and Mellon

Bank would happen with or without this Body and with or without the Administration, I'm convinced. But, the little things need to be taken care of. Once again, I will ask Mr. John Mascio if he can inform Public Works and the Law Department that we have an unsafe condition and that Mr. Diven and I have reported it repeatedly.

Thank you, Mr. Mascio.

Mr. Hertzberg:

A brief response. My understanding is that part of Brownsville Road is on the schedule. You might want to make a phone call because they might be out there right now. I think they're supposed to get to that any day now.

Mr. Ricciardi:

Okay.

Mr. Cohen:

On the snow removal audit by City Controller Tom Flaherty, I want to also commend Tom Flaherty for doing this report. I believe I made the initial motion to have City Council pass the resolution for this audit. I am just very pleased with the results of the audit. I'm still going through it because it's pretty thick. But, in terms of the recommendations I've read so far, they all seem to be right on the mark. Particularly with respect to the secondary and tertiary streets.

Secondary streets is where most of the people in Pittsburgh live, they live on those streets. The main arteries, not to say that there aren't people who live on them, but those are the arteries that, of course,

have the most traffic. As far as secondary streets are concerned, that's where we had the most trouble back in January. In my district, in particular, there were some streets that just didn't get plowed. People could not get out of their parking spaces particularly for those people, like myself, who do not have garages.

So, the recommendations on the need to be prepared for secondary streets, I think is a critical recommendation. I want to thank Councilman Hertzberg for his leadership on this.

As far as I'm concerned, the presumption now is in favor of putting these recommendations into place. The Administration, I think, should come to us if there are any recommendations they are not putting into place. We need to hear an explanation for that and, obviously, have the forum to be able to do that whether that be a post agenda or in writing or whatever. But, I think we now have the framework for making sure that when the snows fly, and they're going to fly relatively soon, that we'll be able to be prepared.

The Chair:

I certainly agree and I look forward to a follow-up meeting. If you want to speak with Mr. Costa, let me know what form you want to do it.

Thank you for that report.

We will now move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2173:

Report of the Committee on Finance and Budget for October 6, 1999, transmitting one ordinance and sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1759:

An Ordinance amending and Supplementing the Pittsburgh Code, Title 2, Fiscal, Article I, Administration, Chapter 201, City Treasurer, Section 291.11, Tax Increment Financing (TIF) Registration by adding new sections regarding the commitment to employ city residents at facilities which are supported by Tax Increment Financing. —
(SPONSORED BY MS. MCDONALD & MR. O'CONNOR)

Which was read.

Also,

Bill No. 2086:

Resolution transferring the sum of Nine Thousand (\$9,000) Dollars from Organization Code: 121000, Sub: 010, Fund: 1000, Account: 511000, Budget Year: 1999, Salaries TO Organization 121000, Sub: 150, Fund: 1000, Account: 524700, Budget Year: 1999, Miscellaneous Services, Department of General Services. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 2087:

Resolution authorizing the transfer of One Hundred Sixty Thousand Dollars (\$160,000) from the Bureau of Police to the Office of Municipal Investigations, Law Department. These funds are for outsource pre-employment background investigations for police recruit candidates. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 2098:

Resolution providing for an Agreement or Agreements with a consultant or consultants for pre-employment background investigations at a cost not to exceed \$160,000, and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 2099:

Resolution providing for the issuance of a \$6,000.00 warrant in favor of Harold & Martha Jackson, c/o James R. Moyles, Esquire, Gilardi, Cooper & Lomupo, 808 Grant Building, Pittsburgh, PA 15219, in settlement of a claim in which claimant's suffered personal injuries from an intersectional accident with a City of Pittsburgh Fire vehicle on December 3, 1997.

Which was read.

Also,

Bill No. 2100:

Resolution authorizing the transfer of three thousand dollars (\$3,000.00) from within the Department of City Controller; from Miscellaneous Services Printing to Supplies.

Which was read.

Also,

Bill No. 2101:

Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of consultants to assist the City of Pittsburgh with the technical and financial aspects of the cable communications franchise renewal process in an amount of sixty thousand dollars (\$60,000.00).

Which was read.

Also,

Bill No. 2102:

Resolution providing for an agreement or agreements with a consultant or consultants to provide actuarial services for the City of Pittsburgh for a period of three years, for the years 1999 through 2001, at a cost not to exceed One Hundred Thousand Dollars (\$100,000) per year and providing for the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion on the bills?

Ms. McDonald:

I apologize to my colleagues, I wanted to amend by substitution with a revised version of Council Bill 1759 that was forwarded to the Clerk's Office in time for you to get the distribution. But, I just left again and made one final correction. So, I would like to amend by substitution on the current bill that you have before you, the one that was just given to you.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I'd like to have my comments brought forward from last Wednesday. Not to beat a dead horse, but to thank Councilmembers for their support in encouraging greater strength in terms of this post construction jobs bill. Thanks to Council President O'Connor for working with me on this bill from the very beginning.

The two amendments that have been made are due to suggestions by Councilman Hertzberg and Councilman Cohen.

First of all, in Section 201.12 in the Definitions, Section 1, TIF Finance Facility, this has been revised in deference to Councilman Hertzberg's suggestions, which are correct. That is that we don't have too many TIF's out there that exceed 25 percent of the overall construction costs. Indeed we have an ordinance in place that caps the amount of public subsidies given towards a project at 10

percent. So, to use the same language that is currently in the enabling state legislation is a mood point because we already have self-imposed limitations on the amount of public subsidies.

In discussing this with Councilman Hertzberg, his suggestion, that I agreed with wholeheartedly and he can further elaborate on that, instead of arguing over a percent of a project, one percent, two percent, five, ten, let's just set a minimum of a million dollars. A million dollars in public subsidies is a lot of money. Regardless of what the percent public subsidy is, as long as they use a million dollars of tax dollars, whether it be through real estate or other types of taxes, I think that would allow for a post construction jobs requirement to kick in.

So, the million dollars you're looking at, if it's a smaller project of \$10 million dollars it's still 10 percent cap. We've always gone well in excess of \$10 million dollars, not well, except for the Broadhead Warehouse facility. But, it's been in excess of \$10 million dollars.

Also, the addition includes other taxes, not just real estate taxes. We have projects that are in the loop right now that use other than real estate taxes but, nonetheless, are hard city dollars.

The other change was made in deference to Councilman Cohen and that's Section 201.14, a Remedy for Failure to Comply. A point was made by him and it was well taken and is actually 100 percent correct. There is a difference in just not being able to comply, maybe an oversight, some mistake that you made versus deliberate false reporting. So, the

penalties are stiffer for the false reporting than they are for just an oversight.

In "A" it deals with just a failure to comply and that's going to result in the initial amount of \$1,000.00 per failure. Again, that's something that we don't know if that can kick in, but any failure to comply. Each point will be penalized.

In "B" there is more severity, there's more of a clubbing on the head, so to speak, for false reporting. Basically, you have lied to the public and you lied getting people's money, people's tax dollars. I think that's a serious offense. I would argue with the Administration on that point. I think that the penalty should be higher at, at least, \$5,000.00 and it should result in a potential of being in default of that loan. You breached a contract with the taxpayers. I think that is serious enough to result in a potential default of the loan and definitely a higher cost in the severity of the penalty.

Those are the two points. Again, I'm not going to rehash my remarks last week.

I just wanted to say thank you that this bill does allow for pro-active measures in terms of providing a plan. I think it's silly to sit there and demand something and not give the entities that are moving into our town businesses the tools to be able to fulfill this agreement. I do believe that with the tone that is set here that it is very strong, but that other cooperative entities could buy into it.

Again, I appreciate working with you Councilman O'Connor on this. Again, I would just hope that this would be a buy in, not just from this Legislative

Body, not just by the Administration, which I believe has the -- again, they want to make sure that it's not so severe and that it's not so ominous that it's going to scare businesses away. That's not the intent of this Body, I know.

We don't want to scare businesses away. We do want to work with the Administration in building our area, building our overall communities in downtown area. But, we do have to hold businesses accountable for using the tax dollars. As we get into the free bee's, it's kind of like the norm, everyone gets a TIF, we have to get something out of this. It's what they call a quick quo pro, you want our money, this is what you have to do. By setting the tone, this way you're not only going to impact new businesses, but I think it will spread to other businesses as well.

(See Addendum for comments)

Mr. Udin:

I have distributed to all the members of Council a number of amendments that I just want to put on the table.

First of all, let me just thank Councilwoman McDonald for having the foresight to narrow in on the post construction jobs that are created by TIF support. I think it's important to keep in mind that the TIF legislation was really intended to eliminate blighted areas, to use the TIF as an opportunity to attract business to really blighted, depressed, economic areas and to create new jobs. That was the importance, if you read the legislation, of the TIF. That was the purpose of the TIF. The TIF, the way it's been applied across the country in recent

days, focuses more on other kinds of development, more so than blight. Sometimes it creates new jobs and sometimes it just maintains old jobs. But, the purpose was to create new jobs and to eliminate blight. The legislation that Councilwoman McDonald has presented, I think will help move us a long way toward that.

The amendments that I want to offer are amendments that I hope will be received by Councilwoman McDonald as friendly amendments. The amendments are intended to strengthen her already strong legislation to achieve what I think we all have as common goals of providing maximum opportunities for residents of the city.

What I'd like to do, Mr. Chairman, if I may, is walk through all of the amendments. But, then, have us react to them and act on them. I'd especially like to hear the responses of the primary sponsor of the legislation to each of them as we take action on each one, if I may.

The Chair:

Proceed.

Mr. Udin:

Thank you.

The first one has to do with the definition TIF Finance Facility. The sponsor has eliminated the 25 percent and changed it to a million. I support that because a 25 percent would have been too high a threshold. So, I support that and I withdraw the amendment for the 5 percent proposal.

The second proposal is the evidence of good faith. The current legislation allows that evidence of good faith be evidenced by meeting any two of the three items. I think it is important that evidence of good faith be evidenced by all three items and any two of the three. One of the two is simply advertising URA home programs. So, if the person applying for good faith was to say I did "C:" and "A" and would eliminate "B," it would be an important aspect of these good faith criteria. There's no reason why all of the good faith criteria should not be required. So, that would be the reason why I would propose an amendment to strike the words, "a minimum of two of the following."

The next item is the most important in my view. The original version of this legislation required that 35 percent of all new hires and 35 percent of the total workforce over 5 years would be the residency requirement. The 35 percent of new hires is absolutely critical. Without it, we're giving new projects, without it we're giving new projects, say, for example, the new Mellon Bank building that will hire 3,000 people. We're giving them five years to comply. All of the new hires that they hire in year one would not be required to be city residents, year two would not be required to be city residents, year three, year four. They would not have to comply until year five. I think it's critical that all new hires be subject to the 35 percent requirement. I think that's absolutely critical.

The Chair:

If I can interrupt. I believe that the intent is of all new hires from day one are 35 percent of the new hires, any company.

Mr. Udin:

If I'm reading it correctly, and you may be correct, Mr. President. If I'm reading the current legislation correctly --

The Chair:

I think the problem is really going to be, at least the way I'm seeing it, whether you move a company or you've been there or start from scratch, 35 percent of all new hires would be Pittsburghers.

Mr. Udin:

That was the way it was written originally, then the new hires --

The Chair:

I believe that's the intent unless something happened.

Mr. Udin:

Well, perhaps so. I'll go through all the amendments and, then, we'll come back. But, I may have misread it and I hope that is the intent.

The next item is under 201.13, The Implementation. The current legislation requires that the plan be submitted to the Office of Business and Employment Opportunities and that they should evaluate the lease provisions. But, it doesn't authorize them to do anything with that evaluation, they just evaluate it. The language that we have offered would authorize the office to issue a finding based on that evaluation. Then, if found to be in compliance, the plan should then be submitted to the Department of Personnel and Civil Service for approval.

It's not enough just to submit these plans to these offices to have them evaluated or review it, the evaluation and the review has to result in some report, some finding, some conclusion as to whether or not the plan is in compliance. I do realize that that is probably the intent of the legislation, but as I read the language it didn't quite say so.

In Item 201.13b, I am confused by the language as to whether or not, it refers to an approval and a review in the same sentence. I'm not sure on the sequence of activity that is intended by this language. It says that the plan of the TIF recipient or majority tenants to achieve a workforce comprised of city residents, it says, "shall be submitted for approval to the Department of Personnel and Civil Service for review." Is it for an approval or for a review? Who does the approving and who does the review? The sentence is kind of confusing and I was hoping to get some clarification of it.

The next item has to do with 201.14 under the Failure to Comply. I agree with the amendment to change it from \$5,000.00. I believe the amendment, as presented by the sponsor, changes it to \$5,000.00 for failure. But, it still has language, unless that language has been removed by a subsequent amendment, shall result in default of the loan. In several places the language in this legislation, refers to default of the loan.

My assumption is that that language was carried forward from the first source project which refer to loan given to projects. But, a TIF is not a loan as you know. A TIF is a financial arrangement whereby the recipient gets all

the money up front, puts it into the project so the money is spent. There is nothing to hold back for default. So, there is no default in a TIF loan. So, there has to be some other kind of action taken.

Finally, the Item 201.14b refers to a resident who provides false information. I'm not clear, unless the resident is really intended to mean recipient. If that's the case, then it's just a typo, which can be corrected. Also, the word statutes, I assume, is intended to mean status. The resident item is referred to in both "B" and "C." I'm assuming that it's intended to mean recipient as in TIF recipient.

Those are the amendments that I have, Mr. Chairman, and I would respect whatever procedure you would have us to go through to entertain each one.

Ms. McDonald:

The definition number one, we clarified that.

I have no problem in the good faith efforts that shall be evidenced by, and strike a minimum of two. It's very easy for any company to do all three. I support that, wholeheartedly.

The Chair:

Do you want to vote on each one as we go?

MS. MCDONALD moved to amend #6, Good Faith Efforts, by striking minimum of two of the following.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Going down to "C" the TIF Recipient. We had discussed this whole idea of should you just have something so simplistic as saying, all new hires shall be 35 percent. But, it may not be able to accommodate all situations of business.

In business, you may have a plan in place, a five-year plan. A company may relocate and they bring their people here. In their plan, they may not hire the first year or the second year or they may hire in the first year only one employee. Maybe if they have all the interviews and they have all the applicants in place that the person that best fills that job description may not live in the city. Why would you want to penalize a business because they would only hire one person and that person may not live in the city because the best is not there; maybe the best is somewhere else? Maybe that best can move into the city.

Again, I don't want to so tie the wrist that you make an unreal situation for business. That's why I have a five year plan with the intent, as you say Councilman O'Connor, the intent is that they would hire as many city residents as possible to get up to a 35 percent overall workforce. I would be more comfortable, instead of mandating that absolutely 35 percent of all new hires are city residents; we're not talking construction. We're talking about a business that you don't know what type of business is there. You don't know if it's technology, is it a certain specialty, you don't know if the skills are here in Pittsburgh, you don't know. To tie their wrist so stringently that they must hire. What do you do if they're only going to hire two people and both of them come

from outside the city because they can't find anybody in the city for that particular year in which they're hiring, what do you do to penalize them and why would you penalize them? You can't penalize them and you shouldn't penalize them. You should allow them time to build their workforce to look like what this city looks like, where 35 percent of the people that work there are indeed city residents.

Again, the bill is flexible to be able to allow businesses to work it out with the Department of Personnel, to identify the skills that are needed and to be able to provide training. Again, to try to get your workforce up to 35 percent as much as possible with the intent. I would feel probably more comfortable with a not so stringently in place and which, at least, 35 percent of all new hires are city residents.

Maybe that can be softened to -- I'm opened to suggestions.

The Chair:

I'm a little confused. If we use your scenario. I know a company that moved their 15 employees and none of them lived in the city. If they only hire one or two, maybe they can't hire. But, how in the world, if they start hiring one or two, in five years are they ever going to get anywhere close to 35 percent.

Ms. McDonald:

That's what the plan is.

The Chair:

Here's my problem, with all good intentions, I think we're better off starting at the base where you hire -- you could at

least commit -- say if a person is going to hire 100 employees and he or she does commit to the 35 percent. If it's a one time deal, five years from now he'll still be at that, it won't be 35 percent because of the old employees he had. I think it's almost impossible to ask somebody within five years to have 35 percent opposed to starting today committing to hire 35.

Ms. McDonald:

Well, see, that's what makes the 35 percent over 5 years a stronger clause; it's a strong phrase. You're asking actually for more.

The Chair:

If you can't start today, there's no way in the world you're going to make it in five years even if a person does everything correct.

Ms. McDonald:

With all due respect, if you read the language it says, you're going to have to try, you're going to have to provide a plan to do that.

The Chair:

Even if the person hires everybody, 35 percent, everybody I hire is, at least, 35 percent maybe 50. If they have a base of more employees, say this Mellon has 2,000 jobs coming from up the street and assuming they're all not in the city, I don't know what they are, but I think they are about 25 percent. Some companies have a lot more than 35. Heinz, to their credit, has about 40 percent employees. So, they've made it already.

My problem is if they start with 2,000 and start even to hire at 50 percent

Pittsburghers, they'll never reach that 35 percent because it can't overcome their base.

Ms. McDonald:

Well, you see, Councilman, that's why the ball falls in their court. That's their problem, that's not our problem. That's their problem. They have to come up with -- let them be the mathematicians, not us. The ball is in their court. They have to provide the mathematically analysis and projection to be able to have a 35 percent workforce. It is not for us to figure that out. It's for them to come back. They may need to hire 100 percent city residents to be able to build a workforce up to 35 percent over a 5-year period. Every person may need to be a city resident. They have to figure out how they're going to do it, not us.

Again, we can go through the motions of if they do 35 percent --

The Chair:

If I look at your legislation on page two. Turn to page two, number seven, going down the line. Do you see that residency requirement? If I'm reading it right, it's saying shall be that all majority tenants of TIF recipients will seek and commit, they'll commit, to employing city residents at TIF financial facilities, in the amount of equal to 35 percent or more employees subject to any law changes. So, it's in the bill. The way I'm reading it is you have to hire 35 percent Pittsburghers.

Ms. McDonald:

When you look at employees whether they're existing employees or

whether they're new hires, I think that's probably where the debate comes in. I have no problem with having some language in their to talk about new hires. I just want to make sure that we are reasonable and that we allow a business to be able to reach that goal and not deter them and say, there's no way I'm going to be able to hire 35 percent city residents and they go to some other suburb or whatever. I'm just allowing for a little more flexibility.

I'll let other Councilmembers speak to that.

The Chair:

I think when they come and get their couple of million, they sign an agreement that they're going to hire 35 percent new hires from Pittsburgh. Now, if some rear thing and they can't hire the person and all that, they certainly have to come back and say, look, I did all this, I'm hiring all doctors and the doctors happen to be from Fox Chapel. That's okay, that moves on. But, if you hire normal folks and we can all do the job and train people, then they can't say they couldn't hire sales people at the new Lazarus store that weren't from people. That we don't have to buy.

Mr. Hertzberg:

I'm not sure who's been giving us feedback on how this is going to hinder certain businesses. I think when we really look at who's been receiving TIFs and who will be receiving TIFs, they're not going to have these kinds of problems. There may be a very small percentage that would have those kinds of problems.

But, one thing you can say, that's suppose to be characteristic about the TIF finance development, is it's big. What's it suppose to do? It's suppose to help economic development, it's suppose to bring jobs. That's who's supposed to be involved in these TIFs.

So, I think the cases where they are not even hiring one person or just hiring one, they are going to be few and far between. By and large, they're going to be hiring. Even if they're not in the growth mode, it should be an operation that's so big they're going to have (inaudible) that's going to account for some new hires. So, I don't know, it seems to make some sense to me that they should have to try to achieve this in new hires as well as in their long term plan.

Mr. Cohen:

I know there's been a lot of back and forth on this. I feel comfortable with the way it's written because I feel that it gives an adequate time period for companies, Councilman Hertzberg is absolutely correct, large companies, to be able to satisfy this requirement. The only TIFs that we've given out or that the Mayor has asked for has been for large companies. Obviously when you have that many employees, there's a lot of turnover, people coming in, people retiring, etc. I think to give them some reasonable time period to reach this goal makes sense.

I have mixed feelings about this kind of legislation anyway which I've expressed before. I think that it is fair that we ask for certain things in return for public funds being giving to companies but, at the same time, it can't be so onerous that we keep companies away

from Pittsburgh. I think that that provision, as written, strikes the balance, which is why I voted for this bill in the preliminary vote. Going beyond that I think would probably lose me.

Mr. Udin:

First of all, I just wanted to point out that this doesn't even kick in until after 20 or more hires. It applies to when you're hiring 20 or more employees. So, the issue of just hiring one or two or three does not pertain.

Secondly, if there is a valid reason why a business hires less than 35 percent, they're always free to submit a good faith explanation to show this is the market, I tried to do it, they're not here in Pittsburgh, so I have to go out and that's fine. There's nothing tying their hands forcing them to do it. It just gives a priority to Pittsburgh residents and then it gives them an out to apply for a good faith exception.

Again, as pointed out by Mr. Hertzberg, the purpose of the TIF is to encourage new employment. Now, the amendment that I have proposed requires both 35 percent of new hires and it does not eliminate the 35 percent of the total workforce in 5 years that the sponsor originally intended, that's still there. I don't take that out and substitute it.

But, we have to get some pay back for the taxpayers right up front and immediately because that's really what the purpose of the TIF legislation is. It's a policy choice that we have to make. I hope that we vote in favor of giving immediate benefits to the residents and

new hires, 35 percent, as quickly as possible.

The Chair:

As I'm reading the bill, most of Ms. McDonald's intentions were the same. I think we're going in the same direction.

I'll be honest with you, the 20 employees bother me. When Doug was involved with this he says what do you do especially if we bring these new businesses downtown. Say this downtown thing works and there are some small jewelry shops with four, six or eight employees or somebody owns it and the wife and the family lives there. Doug Shield says, well you don't expect them to hire Pittsburghers, yes I do. If you have your wife and your kids and you live somewhere else, then the next two or three sales people should be from Pittsburgh especially if we're going to do this Fifth Avenue grand thing and they're going to get a tax break. I built 18 restaurants and I never got one cent from the taxpayers and never asked for it.

So, I think we have to be as strong and they have to be as committed. They all come down verbally and say it. Everyone that's asked for a TIF comes to the board, and I know Mr. Ricciardi asked the question and he's the first one, how many employees are you going to hire from Pittsburgh? We're going to hire half or we're going to do all this. Maybe it happens and maybe it doesn't. I think this gives them an out that if there is a reasonable problem and they do due diligence, then certainly we're not going to take the store away from them or the TIF away.

Mr. Udin:

Would you call for a roll call vote on it.

The Chair:

On the 35 percent, I think it's new hires. I think we're achieving the same goal because without the 35 percent, I don't know that they could ever reach the 35.

Ms. McDonald:

Like I said, I taught math at Community College and, yes, there is a way. Like I said, I'm not a mathematician, so to speak, but I do believe I don't think we're thinking about this correctly.

Again, I would go with the pleasure of the Body. If you so choose to do this. Again, as Councilman Udin has said, there is a good faith exception. If there's a problem in hiring a city resident in the first, second or third year, they do have an out with a good faith exception that I think will cover that. So, I have no problem with it.

The Chair:

I'll give you an example of the new Heinz TIF. I know it'll be coming in front of us. They're closing a plant in Cincinnati and they're bringing people here to Pittsburgh, 200 jobs. A lot of them are going to white collar jobs and a lot of them may come because it's not that far away if they have experience. In that case, they may come and say listen, our workforce is 40 percent Pittsburghers so we're transferring all these people here and we can't force them to live somewhere

but we're going to try and show them all the city residents, etc., etc. If they don't hire anybody new and they're transferring people, then maybe they have some legitimate explanation. If not and they're hiring a new 200 people or 100, out of those 100, I think 35 percent should be Pittsburghers.

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

NOES:

Mr. Cohen	Ms. Diven
Ms. McDonald	Mr. Onorato

AYES Four NOES Four

The amendment fails.

Ms. McDonald:

The next part is 201.13 Section A. I wholeheartedly agree it does allow for more of a process to be put in place, a check and balance systems. It just seems it doesn't undo anything, it just basically takes it one step further and suggests that the Solicitor review the finding. Again, it's a process that's being put in place. It's an excellent amendment.

The Chair:

Roll call vote on the amendment.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor

AYES Seven NOES One

(Mr. Onorato voted no)

The amendment passes.

The Chair:

Lastly, 201.14, I would defer to Councilman Cohen who had suggested and proposed the amendments that have just been presented to you with a certain penalty for failure.

Again, I had discussed this at length with him and I do agree with the amendment as it stands. I do not agree with \$5,000.00 penalty to a city resident. Oftentimes this city resident may be somebody making minimum wage and in an act of desperation, they may error and it's wrong. Again, to throw the book at them for \$5,000.00 is just too much; \$1,000.00 is a lot. But, the \$1,000.00 is there to deter people from reporting falsely, from people succumbing to lying basically to get a job. Five thousand dollars, I think, is a little stiff and \$5,000.00 is more of a penalty to the city resident than it is to the company who has a lot more money.

Again, I would defer to my colleagues for discussion on this matter.

Mr. Hertzberg:

I agree with Ms. McDonald. But, we do need to make one change to see because of the language which reads, "a resident who provides false information regarding his or her status as a city resident will result in a penalty not more than \$1,000.00." That pointed out by Councilman Udin, that's not going to be a resident. The person that's falsifying is a non-resident. If they're a resident, they don't have the problem. So, I think if we could just change the word, a resident to an individual, I think we are accomplishing the goal there.

Mr. O'Connor:

You're talking about somebody who lies to the company and misleads them. They give their brother-in-laws address and they live in Monroeville?

Mr. Hertzberg:

Right, right. That's who we're trying to get. It's the non-resident who claims they're a resident. So, we don't want to refer to them as a resident. We want to refer to them as an individual.

The Chair:

The individual who falsifies their report, is that \$1,000.00 or?

Ms. McDonald:

There are two things. Councilman Udin mentioned two things. One is the clarification of the language which I think we all agree with. The debate is the penalty, the amount.

Councilman O'Connor, if you could just maybe make a motion to change from resident to individual that's an easy one; an individual who provides.

Mr. Cohen:

On that point, just a point of order. We have to waive the rules to do that. I have no problem with waiving the rules, but we need to do that.

MR. HERTZBERG moved to waive the rules of Council.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Udin:

This is only on the issue of resident changing to individual, right?

Ms. McDonald:

Right.

MS. MCDONALD moved to change the language from "resident" to "individual."

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Udin:

If you go back to "A" above that, does this item, perhaps the sponsor can clarify this. Does this item refer to the employee or to the recipient of the TIF?

Ms. McDonald:

The only people that will be filing reports are the TIF recipient or the majority tenant.

The Chair:

The company.

Ms. McDonald:

The company, yeah.

Mr. Udin:

So, your last amendment would be a \$1,000.00 fine?

Ms. McDonald:

I will defer to Councilman Cohen if he would like to chime in on this.

Mr. Cohen:

I would be happy to.

Yes, it would be a \$1,000.00 fine for the failure of the TIF recipient. The other thing we tried to do here was to separate out two different violations. One is a violation of not complying with the legislation. The second violation being actually submitting false reports which, at least, I view as to be a more serious violation. So, for that reason it's \$1,000.00 for failure of the TIF recipient to meet the requirements of the legislation. But, it's \$5,000.00 if they actually knowingly submit false reports because that's a more serious violation. So, that was the attempt here.

Mr. Udin:

I think I understand the intent. My amendment is -- I think that it would be an

easy thing for a multi-million TIF recipient to pay a \$1,000.00 fine and ignore this whole thing. I think we have to fine them everyday until they comply. That's why my amendment ask for a \$1,000.00 a day until the Office of Business Employee Opportunities issues a certificate of compliance.

We have to move them toward compliance. It is not enough to just charge them a \$1,000.00, they spend that for lunch everyday. We have to move them toward compliance. If there's something that the sponsor or, perhaps, Mr. Cohen can add to this that can force them toward compliance, I certainly would be in support of it.

Mr. Cohen:

As far as I'm concerned, I think Councilman Udin makes a good point. Councilwoman McDonald and I haven't talked about this, but I would have no problem going back to something like \$5,000.00. I think \$1,000.00 per day, personally, -- there are two things going on here.

One is to try to craft this legislation in a way that gets the job done. The second thing, frankly, just from a political point of view, is try to avoid a mayoral veto on this. The Solicitor has raised concerns about the fines being too high. So, we're trying to kind of walk that tight rope.

I'm only one Councilmember, but I don't have any problem going back to say a \$5,000.00 fine. I do think a \$1,000.00 per day, if it takes several months to resolve something, is steep and I think it also risks a mayoral veto which I think

we'd rather not have to try to get this resolved. Let me offer a \$5,000.00 violation and see if that gets the job done.

The Chair:

I totally agree because we caught some parking attendants way behind on their fees, cheating and everything else. The fine was \$500.00 bucks. They would just every six months send the \$500.00. That was still \$500.00 a week and that was cheap. They never even came to court, just paid the fine. I think it's in the right direction and if we have to stiffen it later I think we can.

Ms. McDonald:

The motion is for Section A to increase the penalty to \$5,000.00 from \$1,000.00.

Mr. Cohen:

I would like to add a friendly amendment if I could go change -- again, submitting a false report, knowingly committing fraud, is a more serious violation. So, I'd like to change that to something higher. I think \$10,000.00 makes sense. But, we have \$5,000.00 if there's actual violation; \$10,000.00 if you commit fraud; the third one, of course, is \$5,000.00 if you're an individual resident as opposed to a company who commits fraud.

Mr. Onorato:

It's currently at \$1,000.00.

Mr. Cohen:

I'm sorry, I'm sorry, \$1,000.00 that's fine.

The Chair:

We'll give the individual \$1,000.00.

Mr. Cohen:

Why don't we change it to 5 and 10?

Ms. McDonald:

For "A" and "B." So, "A" would be a \$5,000.00 penalty and "B" would be a \$10,000.00 penalty.

Mr. Cohen:

It needs to be higher for somebody who actually lies.

Mr. Diven:

I just want to make a suggestion, too, because I think the point that the Council President hit on is a good one. Maybe we would give them a certain time period to get back in compliance and if they didn't, we would assess another \$5,000.00 fine. I don't know whether that would be 30 or 60 days.

Ms. McDonald:

That's a good idea, Mike. Councilman Diven I think to have a time period to rectify or to resolve a situation that is not just a one shot deal and so what. They're a multi-million dollar industry, they don't care; it's basically nothing.

The Chair:

Ninety days or something like that?

Ms. McDonald:

I don't know. Sixty to ninety, not thirty because that's not enough time.

What would you suggest, Councilman?

The Chair:

They have to recruit and train. So, I would give them 60 to 90 days.

Ms. McDonald:

After 90 days, it's reviewed and they can get hit again.

The Chair:

We're saying the same thing, if you don't comply every 90 days you're going to pay a \$5,000.00 fine.

Ms. McDonald:

I think this will bring in what Councilman Udin wanted to strengthen as well as be reasonable.

MS. MCDONALD moved to waive the rules of Council.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Under 201.14, it shall read, "failure of the TIF recipient or the majority tenant to comply with the requirements of 201.12

to 201.13 may result in a penalty of not more than \$5,000.00 for failure. There will be a 90 day period for compliance at which the TIF recipient or the majority tenant would be penalized \$5,000.00 again."

Mr. Cohen:

In a 90 day opportunity to cure, to cure the violation.

Mr. Udin:

There is just one word change that I'm sure the Councilwoman read it by mistake. It says shall and she said, may. I'm sure she intended to keep the same language.

Ms. McDonald:

Yeah, that's fine.

We had intentionally changed it to "may."

The Chair:

Oh, really.

Ms. McDonald:

Yes, again, if this bill doesn't go through and it's vetoed or we override the veto, the reality is that, again, we have another dead bill. It's well intended, it's wonderful, it makes the news, but nothing happens.

There are too many opportunities coming down the pipe, too much development for us to miss the boat on this one. We have to capture the moment. The opportunity is now to work with the Administration so that there is agreement

so that we can move forward and get some employment, much more so than what we have now and -- at least, a commitment to these entities that are using public dollars. Again, the reality is that we don't want to miss the boat and be so dog gone principle that we don't have any employment now because we're now fighting with the Mayor's Office on this.

I would rather this be in agreement that it's consensus. I think this Body has really pushed the envelop and rightfully so so that we can strengthen it as much as we can. That was for the reason that we changed it from "shall" to "may." We can change it back to "shall." I have no problem with that, Councilman. But, if you wanted an answer as to why, I'm shedding a little bit of reality on this whole job spell. We can change it back to "shall," "shall result in a penalty of not more than \$5,000.00 for failure. There will be a 90 day period of rectification." What would you suggest, Councilman Cohen?

Mr. Cohen:

Ninety day opportunity to cure the violation.

Ms. McDonald:

Ninety day opportunity to cure.

That's how it reads? Is that fine with the Body?

The Chair:

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES One

(Mr. Onorato voted no)

The amendment passes.

Ms. McDonald:

Lastly, to Council President O'Connor and Councilman Udin, "B" will read, "the knowing submission of false reports shall result in a penalty of not more than \$10,000.00 for failure and may result in potential default of the loan."

The Chair:

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES One

(Mr. Onorato voted no)

The amendment passes.

Ms. McDonald:

I think that's it. I want to thank Councilman Udin for --

Mr. Udin:

No, one more. I just need an explanation, if I may, and I apologize for --

Ms. McDonald:

201.13b?

Mr. Udin:

Yes.

Ms. McDonald:

When it says shall be submitted for approval to the Department of Personnel and Civil Service Commission for review by the JPTA Division. JPTA Division of that Department of Personnel and Civil Service will review it. Ultimately, it's the department that will approve it; JPTA cannot just approve it. That's just a subdivision within the Department of Personnel. That's why it reads as such.

Mr. Udin:

So, the JPTA will review it and then the department will approve it?

Ms. McDonald:

Ultimately, it will come from the director, yes.

Mr. Udin:

Okay, perhaps just a grammatical separation of those two functions would help that sentence because to say, for

approval and for review all in the same sentence is confusing, at least to me.

Ms. McDonald:

Okay. It shall be submitted to the Department of Personnel and the JPTA Division will review this? I don't see how it's going to make a difference, but if it's the pleasure of the Body. It makes sense to me.

Mr. Cohen:

I honestly don't think it matters.

Ms. McDonald:

It really doesn't matter grammatically, Councilman.

The Chair:

All right, then, we'll leave it as is.

Now, we can vote on all the bills in front of us.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

(Mr. Onorato voted no on bill 1759)

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2174:

Report of the Committee on Public Works and Environmental Services for October 6, 1999, transmitting three resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2091:

Resolution providing for a Contract to be bid, for the purchase of a 4 x 4 Recycling Pickup and Two 9 Cubic Yard Recycling Trailers, in connection with the Recycling Program at the Public Works Environmental Services Bureau, at a cost not to exceed \$45,000.00.

Which was read.

Also,

Bill No. 2123:

Resolution further amending Resolution No. 141 effective March 18, 1999 as amended by Resolution No. 352 effective June 10, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps,

concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof," by making certain corrections to amounts appropriated pursuant to Resolution No. 178, effective April 1, 1999.

Which was read.

Also,

Bill No. 2124:

Resolution further amending Resolution No. 140 effective March 18, 1999 as amended by Resolution No. 351 effective June 10, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof," by making certain corrections to amounts appropriated pursuant to Resolution No. 178, effective April 1, 1999.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none the bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

The bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2175:

Report of the Committee on Housing, Economic Development and Promotion for October 6, 1999, transmitting one resolution to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 2094:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in 14th Ward of the City of Pittsburgh (Council District

No. 5 - Site Assemblage): (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

WARD
BLOCK/LOT
ADDRESS

14th
128-N-47
2707 Zama Road

14th
128-N-99
2755 Fernwald Road

14th
128-N-101
2761 Fernwald Road

14th
128-N-102
2765 Fernwald Road

14th
128-N-103
2767 Fernwald Road

14th
128-P-7
2738 Zama Road

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven **NOES** None

The bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 2176:

Report of the Committee on Lands, Buildings and Procurement for October 6, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2085:

Resolution providing for contracts and agreements or the use of existing contracts or agreements for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks at a cost not to exceed \$60,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven **NOES** None

The bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 2177:

Report of the Committee on Parks, Recreation and Youth Policy for October 6, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2096:

Resolution amending Resolution No. 337, effective 5-17-96, entitled "Providing for a Contract or Contracts, or the use of existing contracts for various repairs, equipment, or materials, for the Department of Parks and Recreation in connection with the renovation of City swimming pools, for a total amount of \$198,000.00," by reducing the Major Repairs & Emergencies line item by \$60,000.00.

Which was read.

Also,

Bill No. 2097:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by reducing the Major Repairs & Emergencies line item in the Department of Parks and Recreation by \$60,000.00 and increasing the Fuel Island Rehabilitation line item, in the Department of General Services by \$60,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

The bills have received the legally required number of votes and have passed finally.

The Chair:

Under Motions and Resolutions, I want to make sure we announce today that we have a public hearing at 2:00 concerning a TIF at Station Square.

Please excuse the absent member.

MS. MCDONALD moved to excuse the absent member.

MR. COHEN seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Onorato:

Mr. President, I just want, on behalf of Council, to send condolences out to the family of Faith Gallo. She is a person who gave a lot to the city and, obviously, was the Director of the Parks

and Recreation for many years here. Our sympathy goes out to their family. I understand that there's a viewing today from 2:00 to 9:00 at Frye Vocals.

Mr. Udin:

I also want to express condolence, unfortunately, to the family of Scott Kunka. His father passed last week. We express our sadness.

Mr. Ricciardi:

On a different issue and I thank those kind comments from Mr. Onorato and Mr. Udin.

Tomorrow there's a bill that I put up and I apologize to Ms. McDonald, however, I was unable to see her this morning. She was at, I believe, an event with Ms. Reno.

Mr. O'Connor, today I put in an amendment or really a resolution adding Section 2 to the Home Depot bill. I'm very saddened to hear that there are a number of businesses, but especially one business, that has been out of operation for nearly a year now and has not received no compensation from either the URA or the City of Pittsburgh. I don't know how an individual or a business like that can pay their bills, their home bills, their mortgage, their utility rates.

The amendment that I add is that I think we should be responsible when we go into a neighborhood and we think Home Depot is a tremendous idea, which it is, but then we take someone out of business. I think that we need to have some correct responses and I think we'll receive them tomorrow. So, I would ask Mr. Mascio if you could invite the

appropriate people. Once again, I apologize to Ms. McDonald. Hopefully she'll have a chance to read my bill.

It's great to take care of the big business and corporations that decide to come here, but not at the expense of a family. In this case, the Vento family who has given decades of their life to the community and stayed when things were tough and stayed when things were not going well and did not abandon the neighborhood. They stuck it out and you know that Mr. O'Connor because you know the family well. They stuck it out during hard times. Now the times are getting a little bit better and we still didn't establish them a location to work and they're still waiting in the wings for a year.

The amendment that I proposed was the same amendment that we passed for the businesses located on now the Heinz property, we supported them. Let's not forget about the small pizza store that's out of business. As some people would say, let's not forget about the little people, the average people, the typical people who make up the majority of the City of Pittsburgh and that are paying our bills. I look forward to discussing this amendment tomorrow and I think it's going to pass tomorrow.

Thank you.

The Chair:

I just want to make one correction. They do have a place and it's being built. Unfortunately, it was supposed to be built in June. It was supposed to be opened in June and now it's October.

Mr. Ricciardi:

This in all due respect that's July, August, September, and October, four months without income. That's a very patient family. I will say this, if it was my father, I think we would be down here saying, hey, how are we going to pay our bills. The Vento family, they're very patient. But, they've given back to this community. The most important thing is that they stuck it out when times were tough. We have to correct this tomorrow. I hope all Councilmembers stand up to the plate on this.

Thank you.

Mr. Onorato:

I just want to ask also to make sure we have the officials from the URA here. This is important that they address this issue because we're going to have the situation in the future. The Vento family, as Councilman Ricciardi pointed out, has been in this area for a long time when a lot of stores were leaving and owners were leaving, they stuck it out. They want to stay.

If the Home Depot project was in jeopardy and they needed an adjustment, the entire upper (inaudible) of the URA and the economic development staff would be here tomorrow. I expect them here tomorrow to answer this question because this was very important for us when we approved this. The fact that it's delayed that long, this family deserves an answer and I would hope that they're present tomorrow. If they're not present tomorrow, then I'm prepared to hold up some economic development bills until they answer. This is an important issue. Not based on the economic size of this

particular business, but based on the principles that are involved here. You have a small entrepreneur who still wants to participate and has given his hard earned money over the years when there was no public money being spread around.

The Chair:

We look forward to that discussion tomorrow. Again, it sets the tone for downtown.

I have actually some bad news. Last night I received news about what happened over the weekend in the 31st Ward in New Homestead, a quiet community of about 300 people. Actually my son-in-law's mother lives there so my grandchildren grew up there. It's a perfect community that anybody in Pittsburgh, New Homestead, probably most of you have never been there.

It got vandalized last night, again, in the 31st Ward. Again, it borders other neighborhoods so I don't know what was there from there. There were a lot of racial slurs, hate crimes, anti-semantic literature and painting. It's just terrible what was done up there. I worked with everybody. We were on the phone last night and this morning. I will also look at fencing it off and, possibly, Mr. Onorato will work with you.

I think we're going to need cameras in some of these areas that are out of the way where residents wouldn't see a car going. I'm going to look into seeing if we can get an award to find these cowards who did it in the middle of the night, Saturday, Sunday night when it was raining and no one was back there. It certainly sends a terrible message to a

neighborhood that really is very interracially balanced. The neighbors know each other and I don't even think they probably lock their doors up there. There's a little church up there. I'm very concerned and want to go after the culprits.

The good news is and I want to thank Public Works. They were up there all day today and part of yesterday and removed all the graffiti. So, at least, it's out of sight and out of mind so that the copycats can't come back. Damage probably wasn't as bad as, you had two incidents with the burning of our parks.

I just urge all neighbors to watch out and report suspicious people and write the license plate number down if you see people because this can't be tolerated in our city.

Mr. Udin:

Mr. President, I just want to thank you for stepping forward and speaking out against this kind of behavior. I think it's absolutely important. I hope that other leaders in this community follow your example and speak out strongly against this and let everybody know it's this kind of behavior that makes this city look like it is more racist than it is when, oftentimes, it's the behavior of just some knucklehead individuals. But, we have to speak out clearly on it. The leadership has to speak out and speak out forcibly.

I thank you for speaking out.

The Chair:

Certainly we all agree on this. I believe, as you said, the more we speak

out that this is not the in thing and it's not the thing to do and the more people can turn, if you have any idea who did it, whether there's a reward or not, turn the people in so it will stop. This is a terrible impression that they send to good quality neighbors and neighborhoods.

Mr. Diven:

I think we should make a motion that Council set a reward so that we can get the people that did this cowardly act prosecuted as quickly as possible and make sure that a message is sent out to people in the community that we're not going to tolerate this kind of behavior. If you want to come up with a number, I feel comfortable in making a motion that Council allocates some money to put a reward forth for the conviction of the people responsible for this crime.

The Chair:

Do you want to make it a couple of thousand dollars?

Mr. Diven:

What do you feel comfortable with?

The Chair:

Let's make a \$2,000.00 reward leading to the arrest of whoever they are.

MR. COHEN seconded the motion.

Mr. Onorato:

You might want to amend that to be the arrest and conviction. We ran into this trouble. Let's make sure that we're

getting good leads of the individuals that actually did it.

Mr. O'Connor:

The reward upon the arrest and conviction of the party.

Just for the record, did you catch that person?

Mr. Onorato:

We had rewards twice. In the first incident, we caught the individual immediately. The second one, we have some tips, but nothing that's panned out yet.

Mr. O'Connor:

Make it clear, then, at least to the arrest of the individual.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Anything else to come in front of Council?

Hearing none, we need a motion to approve the minutes.

MR. COHEN moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. ONORATO moved to adjourn the meeting.

MR. DIVEN seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

ADDENDUM

Ms. McDonald's comments on Bill 1759 can be found in the Standing Committee Meeting minutes of October 6, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, October 19, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two honored guests with us today, Kayla and Drew Witkowski. Kayla is 6 1/2 years old. She's in the first grade, she likes to ride dirt bikes and also dance. Her brother is in pre-school and he likes motorcycles. He even has training wheels on his. They go to Bishop

McDowell Elementary School. They're accompanied by their mother, JoAnne, who's very active in the 31st Ward.

Kayla Witkowski & Drew Witkowski:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you and we have a gift for both of you. It's a flag of our city and our country.

We have many special guests in the audience today. Mr. Cohen will be joining us shortly, but in his place today Mr. Ferlo would like to read a proclamation.

Mr. Ferlo:

We have a great community delegation here from the Friendship neighborhood. We'd like all of them to come forward please at this time. We have a number of community leaders and parents, many people active in the Friendship Preservation Group, and the Preservation and Development Group also. We have some city representatives here from Engineering and Construction and Public Works. If they're here also we'd like you all to come forward, who worked on this playground. I see Tom Aleval (Phonetic) and a lot of familiar faces here

and our own Director Reginella from Engineering and Construction.

Actually, I think, Councilman Cohen, unfortunately, is stuck in Harrisburg right now on a matter. I don't know if he'll make the final meeting here today. But, it's a great honor for him to be the representative of this district and this community. I think the public record will reflect over the last, at least, four or five years, we can hear a common refraying from our colleague, Councilman Cohen, who repeatedly has advocated and lobbied on behalf of the community for a new playground to be constructed at Friendship School along Friendship Avenue. I think clearly no one has been more active in that issue than some of the neighborhood folks that are here today.

So, I'd like to read the following proclamation.

PRESENTATIONS

MR. COHEN PRESENTS:

No. 2178 WHEREAS, the neighborhood of Friendship is fortunate to have two active and effective community groups, Friendship Preservation Group and Friendship Development Associates; and

WHEREAS, several years ago, the groups engaged in a long range planning process with the Friendship neighborhood and identified the establishment of a community playground as their first priority; and

WHEREAS, the Friendship Preservation Group, the Friendship Development Associates, the City of Pittsburgh, the Pittsburgh Public Schools

and the Commonwealth of Pennsylvania collaborated on this project; and

WHEREAS, on July 24, 1999, talented residents of Friendship along with the expert assistance of some exceptionally hard-working City employees built the Friendship Neighborhood Playpark and produced a marvelous playspace; and

WHEREAS, without the advice and support of such key City employees as Myrna Antonio-Hall, Michael Bane, Tom Olivo, Bruce Padolf, Mike Gable, Jack Pawling, Bob Vavro, Yvonne Schlosberg and the strong leadership of the Friendship Preservation Group and the Friendship Development Associates and many others too numerous to mention, this project would never have come to fruition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Friendship community on its beautiful new playground and thanks all involved in this successful collaborative project.

MR. HERTZBERG moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We'll have the official proclamations out here in the official folder shortly. I think CJ is working on that right now.

What's really unique about this playground as Council is aware and

Council's been a strong advocate even prior to the Murphy Administration taking office for major playground repair and renovation. Our previous two Mayors did not commit themselves, quite frankly, to the commitment of resources to remodel and renovate our playgrounds around the city. To Mayor Murphy's credit, he did agree with our position. Councilman Cohen, himself, on behalf of all of us has been a strong advocate for playground safety. Several years ago, we began a very ambitious multi-million dollar program basically renovating, rehabbing and building new children's playgrounds throughout the city in practically all 88 neighborhoods.

Unfortunately, there were some neighborhoods that technically never had a playground. The case being in my own neighborhood of Garfield. We actually did not have a playground and thanks to the support of this Council, we built a Nelson Mandella Peace Park. It's a beautiful playground now at the intersection of Broad and Avalon.

In the neighborhood of Friendship, despite some very wonderful homes and houses and great fortunes and friendship, there's not a children's playground. The community, after long efforts, came together for this site at Friendship School.

We have a number of representatives here today. I'd like to, at least, ask maybe one of the community leaders to speak and also Director Reginella is here. We do have Carol Heyward here, she's the Principal at Friendship Academy. We have Ann Roberts and Diana Ames and Angel Ellis, Becky Mingo, and Arnie Horovitz, and who's no stranger here in Council. We

have a number of city representatives here today, Director Reginella from Engineering and Construction, as well we have Bob Vavro, Jack Pawling, Tom Olivo, and Denny Meyers. I don't know if there are other Public Works people here. We also want to thank the Public Works Department for their hard work.

Ms. Ames:

Thank you very much.

We are indeed fortunate in Friendship to have two very active neighborhood organizations that work to make the neighborhood better. This kind of project, this collaborative project with the City and the Board of Education and the two neighborhood organizations really is a shining example of what can happen when we all work together to make our city and our neighborhoods better.

Thank you so much to Dan Cohen, even though he's not here. He really was, of all the city players, I guess the one that kept us all together in going in the right direction. I'm very, very grateful to him and to his staff, to CJ, to the Department of Public Works and the Department of Engineering and Construction, all the fellows that were mentioned by Jim before. We really appreciate all your hard work in making that a terrific playground. It's just so gratifying to see the kids out there enjoying themselves.

I would also like to thank the members of my committee, especially Angel Ellis who did the community fundraising part of the project. Goodness, I know that there are probably people that I'm forgetting. But, I thought the City again for the financial support and the

Mayor and all of City Council for the whole playground initiative I think has been a tremendous asset to the city. Also I'd like to thank the FDA staff members, Becky Mingo, Ann Robertson and Shawna Moriarity for their guidance and especially the construction management that they lent to the project.

Thank you all so much.

Mr. Ferlo:

I do see our new Acting Director, Director Guy Costa in the audience. I want to welcome him also. Some of his folks, obviously, worked on this. I don't know if Director Reginella or Tom Aleval would like to say anything.

Director Reginella is from Engineering and Construction. As we know, many of the newer playgrounds are under the department direction of Engineering and Construction and many playgrounds are under the direction of Director Costa in Public Works where they're built by our own great trades people.

Mr. Reginella:

Thank you very much, Councilman.

I'm delighted to accept the recognition on behalf our Department of Engineering and Construction. I want to express my gratitude to the community group.

Many times these cooperative efforts, and this was truly a cooperative effort, don't work too well. But, in this particular case, things went extremely

well. That's because of the cooperation that we received from the community groups, the public school Board of Education, and particularly our Department of Public Works. We, in Engineering, had a minor role in this. We provided technical assistance and we purchased some of the equipment that was installed.

I would be remiss in my duties if I did not really point out the person in our department responsible for the success of this project. That would be Mr. Tom Aleval. Members of City Council, you know very well that Tom is our Mr. Playground, if you will; Mr. Recreational Facilities would be a better terminology. He truly is dedicated to his job. He voted and never skips a beat. Tom, on behalf of the Department, I need to thank you very much for being a part of this project. Again, I thank the group from Friendship for their leadership and their dedication to the project.

Thank you very kindly.

Mr. Ferlo:

I did want to also note, which is a little bit unusual, that this community group also raised over \$17,000.00 from the neighborhood residents themselves as well as some of the area's community based institutions, like the hospitals, I assume, West Penn and others. So, I think it's significant.

Thank you also goes to the advocacy efforts on the part of the community.

Arnie, did you want to say a few words? It's rare for you to be in Chambers and not say something.

Mr. Horovitz:

I'm glad to be here. I just want to repeat what was already said. We thank Council for its support for these projects throughout the City, the Mayor's Office and, of course, the City employees who helped us put the project together.

Thank you.

Mr. Diven:

At this time, I'd like to call up Mr. Patrick Moore and our guests from Ireland, the two groups of young men that are here for a basketball tournament. If you guys would come up and accept the proclamation. All the guests that are with the Mon Moy Alliance please come up.

With that, I'll get started. We, obviously, want to recognize the great work that the Mon Moy Alliance is doing in building relationships with our sister city in Ireland and working to provide opportunities for travel from the United States to Ireland and visa versa.

MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 2179 WHEREAS, the Mon Moy Alliance is a member of the Pittsburgh / Allegheny County Sister Cities Association, a grass-roots effort by local communities of private citizens to extend the hand of friendship world-wide and to showcase our city and region for people from all over the globe; and,

WHEREAS, a building block to peace begins, in part, by bringing young people from different traditions together so that they may appreciate each other's diversity, culture and background; and,

WHEREAS, since 1995, the Mon Moy Alliance has fostered peace and understanding through sports in the Pittsburgh Sister Cities Sports Challenge for Pittsburgh and Moy Valley youth alike; and,

WHEREAS, the Mon Moy Alliance is hosting the Second Annual 1999 Concordia Games which will bring teams from Ireland, Northern Ireland and Pittsburgh together.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Mon Moy Alliance on their continued and unfailing commitment to peace; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby extend its thanks, appreciation and best wishes to the Mon Moy Alliance Tuesday, October 19, 1999 as "Mon Moy Alliance Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

With that, I would like to call up Patrick Moore who's been pretty involved in coordinating such an activity and give

him the opportunity to talk about some of the exciting things that are going on.

Mr. Moore:

Thanks for having us. I really want to say we appreciate you and that the Pittsburgh City Council's been behind us from day one on this and we can't do it alone. This is truly a community effort.

I just want to say thank you. It's great to be here again. I guess it's going to be four years before we play host again. In 2001, we'll be taking at least one team over to Ireland. I believe Northern Ireland is going to be the host this time for the Concordia Games. We're going to start working on that as soon as we're done with this. Right now, we're just having a good time.

We have a few more games. We played at the Jewish Community Center, two games on Saturday night. We have a game tonight at South Fayette High School with the Irish teams playing each other followed by a donkey basketball game. I've never seen one of those, but I heard it's an incredible hoot. You're all invited to come along and participate if you have the time available.

Thursday night we'll be playing at North Hill High School, two games and, then, Saturday afternoon at South Fayette High School. Tomorrow we're sending both teams to Washington, DC to take a look at our nation's capital. We have a lot of activities going on. I believe everybody's having a great time; I know I am.

We have a couple of the team members, the captains from each of the teams, would like to say a few words.

Thanks again.

Unidentified Speaker:

First of all, I'd like to thank all the host families on behalf of the (inaudible) and to both coaches over here and especially to the host families who showed us their generosity by taking us into their homes for the next 10 days. I would also like to thank South Fayette High School for their invitation. This is a wonderful opportunity. I'd like to read a letter we got from the President of Ireland, Mary McAleese, just before we departed.

I am delighted to have this opportunity to send my very best wishes for the 1999 Concordia Games and, indeed, for the whole Concordia Initiative.

As we seek to build peace on the island, one of the most important building blocks is to bringing together of young people from different traditions. This enables them to appreciate how much they have in common, while, at the same time, learning to respect the importance of diversity and to value the differences that exist in each other's culture and background. Sport provides a particularly useful way of achieving this, through its capacity to generate trust, leadership and team spirit.

I am particularly pleased that this initiative is bringing together students from Pittsburgh as well as Ballina and Craigavon and Newry Mourne. It is a further indication of how the friendship and assistance of the United States is

supporting the peace process at the highest levels, can filter down and be of equal value on the ground. The three-year time scale of the Concordia Initiative enables these links to be built up in a very solid and productive way.

I would like to congratulate all of the communities involved for their hard work and commitment in the organization of this unique event. I have no doubt that the forthcoming games, together with the other cultural and educational projects planned for the next two years, will not only provide wonderful opportunities for friendship between students, but also play an important role in their personal development and the development of their communities.

I hope all the students have a wonderful time at the Concordia Games in Pittsburgh this year. I wish everyone involved in this initiative continued success in strengthening the cross-border and international links that they have built up.

This is the letter that Mary McAleese gave us before we left.

Unidentified Speaker:

I'd like to start of in my native language. (Inaudible). Which means, I would like to take this opportunity to thank everyone involved in the organization of the Concordia Games. On behalf of the (inaudible) team, I would like to express my gratitude for being here.

There are a number of people I'd like to thank on behalf of the (inaudible) squad. The City of Pittsburgh for having us here, the people of South Fayette,

especially all the host families who have been so warm and kind and welcomed us into their homes. Also, I'd like to thank everybody involved in the organization of the games. I would also like to thank all the American people who have given us the opportunity to sample their wonderful culture. I finally would like to thank the man who has visited us here today.

Thank you.

Ms. Kelly:

Hi, I would like to introduce myself for those of you who do not know. I am Marlene Kelly the Chairperson of the Mon Moy Alliance and the Sister City Project.

I'd like to thank everybody on City Council for all the support. I would especially like to thank all of the people from Ireland for supporting the idea also. Roman and Billy would you like to say a word, please.

Unidentified Speaker:

Good morning Mr. President and Council. I'll try to be brief, very quick.

I just was thinking there as we were looking about the Concordia Games, we had to import the name. It's a Greek name, which means harmony and peace. God knows we all need that in our life and, certainly, within our country.

I think what is great actually about these particular games is it does bring two teams from two different parts of Ireland, as you know we've had some troubled history in the past. Hopefully, by building these sporting links, by coming over here

and sharing some ideas and learning from each other then perhaps we can build a future that we all can be proud and have peace within our time.

I want to especially thank the organizers here in Pittsburgh who tirelessly give of their time and their generosity. Particularly, Pat Moore and Arnie Kelly and Cindy (inaudible) who organized the funding and Dennis who's sitting down there in the back from the (inaudible). I'm reminded actually that when we start with some small initiative of Margaret Reed, the famous USA anthropologist, she says, never doubt that a smaller group of (inaudible) and committed individuals can change the world. Indeed it's the only thing that I ever did.

Thank you.

Mr. Ryan:

Hello. My name is Roland Ryan. I'm having quoted and (inaudible) on behalf of the group from Northern Ireland and in conjunction with Sherman Hall who's representing the Northern group.

Just very briefly, we come from a very small parish in the Northwest of Ireland with a population of about 6,000 people. As you can understand, it would take a lot of fundraising to organize a trip like this. I think the reason why it's been successful for the last couple of years is because it's totally community owned. Everybody here has contributors in some way, yet in a very large way, to help us get over here. We're very, very proud of that. We look forward to coming back in four years time.

Thank you very much.

Unidentified Speaker:

I'd just like to make a small presentation to Bob O'Connor. I believe his people come from about 40 miles from our hometown. It's this painting that we got commissioned on behalf of the trip by local artist. You can't find these in the shops. There's only two of them are commissioned. Hopefully, you might be able to hang this on your wall when you go home.

Thank you.

Mr. Hall:

My name is Sherman Hall. I'm just glad to be back home. I'm an African American and I've been in Ireland for 11 years. On behalf of the (inaudible) Council, I'd like to present Bob O'Connor -- they lost my luggage that's why I'm not in a suit and tie, US Air. So, if somebody could sort out my luggage that would be nice. I'd like to present this to say thank you, Michael, and thank you to the City of Pittsburgh. I'm glad to be home.

Mr. Diven:

I guess, with that, I'd like to offer our congratulations for all the people that put together this effort and congratulate you and also wish you the best of luck in future events. I know City Council is really appreciative that you took the time out of your busy schedule to come in and meet with us and share some of the history about the Concordia Games.

Thank you.

The Chair:

I hope you all can stay a few more minutes. We have some other cultural things you might be interested in.

Will the ladies from Race for the Cure please come up? This is really, truly a sports weeks in Pittsburgh.

We have Dawn O'Brien who's the Chair of the Advisory Committee, Lu Ann While is the Cancer Program Director, Karen Caldwell is the Assistant Director of Family Health Council, Tawnya Tinsley is the Student Athletic Coordinator of the University of Pittsburgh.

We're honored to have you with us. I know we have an exciting event this Saturday. I'll let you talk about that after I read the proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2180 WHEREAS, the Breast Health Coalition is a project administrated by the YWCA of Greater Pittsburgh and is committed to improving breast health by reaching 200,000 women by the year 2000; and,

WHEREAS, the Third Annual Shoot For The Cure is presented by the YWCA Breast Health Coalition and is underwritten by the Komen Pittsburgh Race For The Cure; and,

WHEREAS, the Third Annual Shoot For The Cure is being held Saturday, October 23, 1999, from 10 AM to 1 PM at the University of Pittsburgh's Charles Cost Center in Oakland; and,

WHEREAS, the Shoot For The Cure's focus this year is on women who play soccer; and,

WHEREAS, the United States Women's National Soccer Team members and World Champions Julie Foudy, Carla Overbeck, Tiffany Roberts and Tracy Ducar are the featured guests, who will share their soccer skills and send the message of the importance of good breast health.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the YWCA and Koman Pittsburgh Race For The Cure for their commitment and dedication to eliminating breast cancer; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, October 23, 1999 as "Shoot For The Cure Day" in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

In the past, I think it was shooting basketball; now, we're shooting soccer. Do you want to come up and tell us?

Ms. While:

Thank you. My name is Lu Ann While. I'm the Chairperson this year for the Shoot for the Cure.

Again, our goal has been to reach 200,000 women by the year 2000 with the message of early detection and the importance in breast health. One of the most important of those is our youth and our young women today so that they can learn the appropriate health habits for a good lifetime of breast health.

We are at no cost bringing young women throughout the Allegheny County region, 12 to 18 years old, in to meet and work with four of the women with the World Cup Soccer Team this year. In the past, we had used WNBA stars. We're not sure what direction we will take, but we appreciate greatly all of the support that the city has given us in organizing. As well as the University of Pittsburgh to be able to offer events like this and our race for the cure. It's a pretty big trick to pull off 25,000 people in the middle of Schenley Park. We've been very gracious for all of the support that the City has given to us in all of these events.

Thank you.

The Chair:

When is the soccer event, Saturday?

Ms. While:

Saturday at 10:00 at the University of Pittsburgh.

The Chair:

Aren't they going to have a game?

Ms. While:

They actually are playing a game Friday evening at the Civic Arena.

The Chair:

Ms. McDonald, I hear you have a special treat for us. We kept the whole basketball team to see this.

Ms. McDonald:

Yes, we do. We have a little performance to highlight one of Pittsburgh legends, Billy Strayhorn as a composer for the Duke Ellington.

Let's just have Linda and whomever come up and receive the resolution. Then, we'll have the performers.

We have Dr. Ken Gargaro, Artistic Director and Linda Karsnack, Director of Marketing. This is a Gargaro Production.

MS. MCDONALD PRESENTS:

No. 2181 WHEREAS, from October 22-24, 1999, Gargaro Productions will take a historic leap uptown to the Westin William Penn Grand Ballroom with the premier of *Sophisticated Ladies*; and

WHEREAS, *Sophisticated Ladies* is a musical review that will honor Pittsburgh music legend Billy Strayhorn and pay tribute to the legend Mr. Duke Ellington.

Many do not know that Mr. Billy Strayhorn was Duke Ellington's greatest music arranger and author, composing such classics as "Lush Life" and "Take the A Train." Billy Strayhorn was considered

Duke Ellington's most prolific and successful composer; and

WHEREAS, Sophisticated Ladies will mark the beginning of Gargaro's Ninth Season. This production will star some of Pittsburgh's finest jazz performers which include, Ms. Etta Cox, Broadway performer, Billy Porter, Ms. Maria Beycoates-Bey and special guest star Lenora Nemetz.

NOW, THEREFORE BE IT RESOLVED that the Council in the City of Pittsburgh recognizes and commends Gargaro Productions for saluting a musical genius, Mr. Billy Strayhorn and honoring a musical legend, Mr. Duke Ellington with the production of Sophisticated Ladies.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

I'll defer now to Ken and Linda to give us some information about the performance this weekend. I left this for you, I'd like to read it myself but I'll defer and let you read that as well as some brochures that you will see including, Ken, if you would just talk about, since we have young people who are performing, what Gargaro Productions is all about. The fact that there are classes that are held for acting and dancing, etc., and to show this brochure on Gargaro Productions and the series. There are four more Productions.

Ms. Karsnack:

Good morning everyone.

You know that I always love to come to City Council and bring a little bit of excitement and some glamour. We certainly have done that today.

I'm very proud to be affiliated with Gargaro Productions as their Director of Marketing and Public Relations. What a number of people don't know about Gargaro Productions is that we are largest employer of local arts talent here in the City of Pittsburgh. We have a school, we have kids who are with us from the afternoon on every single day in our young performers institute. We also have regular classes that run through Studio G. These are all supported by our equity casts and our Productions for Gargaro that are generally held at the Byham Theater.

This year our season includes Sophisticated Ladies which, as we've said, we are premiering at the Western William Penn this weekend, back in the tradition of the '30s and '40s Productions, the big band shows. So, if you have some time this weekend, you'll want to come out and see a really wonderful performance. It stars all of the people that Councilman McDonald listed for you.

We also have some feature performers, the Dancing Demons. The gentlemen are going to come up and do a demonstration for you in a little bit. But, the Dancing Demons started their career back when they were three years old and seven. At 84 and 78, they're still performing. Not just performing, but they're also teaching young people their skills and bringing the talents that they demonstrated over the number of years.

Gargaro, as I said, has a full season. In January, we'll be bringing you Grease, Annie, Carousel, and West Side Story. We actually perform before the largest student population in the area doing a number of student matinee at the Byham Theater as well as a number of outreach programs.

The outreach programs this year that we're featuring are Sweet Pea, the Billy Strayhorn Story; and also the Roots of Rock and Roll, which the kids just love. It's an opportunity for them to really get into musical theater, to understand the legacy of the traditions that are music and performing arts here in Pittsburgh. So, if you have the opportunity, please come out and see us.

Right now, I'd like to introduce Dr. Ken Gargaro our Artistic Director.

Dr. Gargaro:

Thank you.

It's an honor for me to be here. I'd just like to say that although the company carries my name, we are a non-profit company with a very humble mission, a community mission, to introduce children to the joys of musical theater. We do that in a very special way by providing access for young people all over the city to the professional stage. We are the only company that really, as a part of its mission statement, uses high school aged students in their professional productions so that they can complete their training by performing on the professional stage and being reviewed in a fashion that will allow them to establish a career.

We have many graduates who have gone on to careers. Some are just now reaching their fulfillment. You'll see pictures of them in our brochures.

Again, it is an honor for me, especially an honor for you and me to see such a broad range of ages come here to perform for you, for just a briefing.

Without further ado, we'll do the young people first.

Ms. McDonald:

Our students are Dominic Atwater and Sarah Strimel.

(The dancers performed.)

The Dancing Demons, come on forward. The Dancing Demons are Henry Belcher and Nazee Hameed.

(The dancers performed.)

Sal Sirabella our Deputy Mayor is on the Board of Gargaro Productions, Sal come on up here. I also want to acknowledge Jim Ferlo. At many performances, I ran into that man. Jimmy's there, he's at the dance performances.

The Chair:

We have a couple to be read in the record.

MR. HERTZBERG PRESENTS:

No. 2181 WHEREAS, on Saturday, October 23, 1999, the West End Pulaski Society PNA Lodge 1052 will celebrate it's "90th Anniversary" at the

Radisson Hotel in Greentree with a night of dinner and dancing; and

WHEREAS, the guest speaker for the celebration will be Edward Moskal, National President of the Polish National Alliance which is the largest fraternal society of Polish Americans in the United States; and

WHEREAS, the Pulaski Society has a longstanding tradition of supporting the West End and Elliott communities in sports activities, programs for the young and the elderly and many other endeavors; and

WHEREAS, the West End Pulaski Society has and continues to evoke a deep sense of history and ethnic heritage for the residents of West End and the entire City of Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the West End Pulaski Society on its 90th Anniversary and for its service to the community and declares October 23, 1999 "West End Pulaski Society Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

At this time, we would like anyone wishing to address Council to please come to the microphone and give your name and

address for the record. You have three minutes to Council.

Mr. Dunn:

My name is Coronal James Dunn. I live at 328 Haze Avenue, Pittsburgh, Pennsylvania.

I'm here today because I brought a number of accommodation complaints from the Human Relations Commission because they wouldn't follow the law to the courts. I've been in the court since July 13, 1998. I've had five legal hearings where the judges act ex party and none of the defendants showed up and they refused to go forward with the legal procedure. The judge entered false judgments on each and every count of the case.

This is something, from my knowledge of military intelligence, shows that this country has a big major internal problem. If they don't do something to correct the corruption in the major cities in the United States, we can forget the year 2000.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street.

For the public, I just received this information. At the Public Citywide Meeting, October 19th, that's today, at Reizenstein Middle School, the guest speaker will be Chief Fadzen. I went to the School Board but I didn't get this information I just got that today. But, that's for the people to know. Come out and that way you can get your questions answered.

Citizens, the shooting that was reported as being near the Weil School, the parents were right to call the school since it was near dismissal time. Ron Suber and the Board wants to put our small children out of Weil. The propaganda must stop. We do not want our children misplaced and placed into danger out of Weil.

After hearing Valerie McDonald's statement on TV, I attempted to be given a chance to set the record straight. Because of their screening, I was not permitted. Valerie, your response and statement was incorrect and it was not fact. The propaganda must stop.

You Councilmen made the racial statement and many citizens feel you were out of line. Although you laugh, Valerie you should have been insulted. The statement was that Mr. Vento was speaking Italian that was why you were unclear about the serious problems with Home Depot.

As his Councilperson, why didn't he tell you, but chose to tell the other Councilpeople? Look how the legislation was started and a bill introduced, I believe, in two days. Could it have been that other Councilmen told Mr. Vento, she won't do anything, look at how she does someone who looks like her, look at Ms. Urquhart. Or could it be that they said she can't do anything, we'll handle it? Many think that perhaps it was just because he was, in fact, an Italian. It looks like the Council votes in favor, all rallied around Mr. Vento like a gang.

I was offended because when I worked at the Lyhe (Phonetic) Program, Mr. Vento became aware that my head supervisor was his friend. His remarks in

serving me some of his homemade wine led me to question why would he speak Italian if he wanted Valerie's help.

Mr. Udin only said he hoped that you, Councilpeople, would rally around the (inaudible) and come to the table speaking English, not Italian.

Thank you. Have a nice day.

The Chair:

Any other speakers?

Hearing none, we'll move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 2183 Resolution authorizing the Director of Finance to provide a written analysis of the feasibility of providing an offset to the business privilege tax levy in relation to employment of City residents. --
(SPONSORED BY MR. DIVEN)

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 2184 Resolution providing for a Contract or Contracts, or the use of existing Contracts for Pest Control Services/Rodent Baiting at various CDBG locations throughout the City of Pittsburgh, at a cost not to exceed \$224,200.00.

Which was read and referred to the Committee on Public Works, and Environmental Services

MR. UDIN PRESENTED:

No. 2185 Resolution providing for an Agreement or Agreements for Stenographic Reporting Services in connection with the Public Hearing(s) at a cost not to exceed \$4,000.00.

No. 2186 Resolution authorizing the Mayor and the City Solicitor to enter into a contract or contracts with Public Management Resources of San Antonio, as the Auditor, to comply with the Consent Decree entered into between the City of Pittsburgh and the United States Department of Justice at a cost not to exceed \$81,855.00.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Is there any unfinished business to come in front of Council?

I have final approval on the seven member appointments on the Business and Employment Opportunities Commission.

UNFINISHED BUSINESS

MR. O'CONNOR PRESENTS:

No. 2148 Resolution re-appointing Yvonne Cook, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2149 Resolution re-appointing Richard Bellisario, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2150 Resolution re-appointing Sheila Washington, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2151 Resolution re-appointing Gregg M. Kander, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

No. 2152 Resolution Appointing James R. Herring, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2003.

No. 2153 Resolution Appointing Tawanda D. Carlisle, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2001.

No. 2154 Resolution Appointing Vernon R. Brown, as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000.

MR. FERLO moved to approve for discussion.

MS. MCDONALD seconded the motion.

Mr. Ferlo:

Mr. President, thank you. Obviously, I'm pleased that these appointments by the Mayor, all of the individuals, both the past members that have served and some of the newer appointments, I think will make a great contribution to the work of this committee, whatever it becomes.

I do want to point out that there are a number of points that were raised in the discussion regarding the nomination and interviewing process. I wanted to reiterate to the Committee that Council is requesting their formal report and recommendation on a resolution that Council forwarded to the Body regarding changing or broadening out the MBE/WBE participation, specifically in the area of employment. That employment is a significant and an important addition to the actual dollar figure associated with meeting a 25 and 10 percent rate. We're also concerned about the employment profile on the job. So, I would ask that they please take that matter up, ASAP.

As well, there are a number of points brought up to the body, I thought reiterated to the body, that when they have recommendations for ordinance or resolution changes that Council should consider, they should communicate directly to us. If they take an advocacy position on a matter, if they feel that something needs to be strengthened in the City Code of Ordinances, I would ask that the Commission forward to the President and to members of Council any concern or recommendation.

Thirdly, one of the individuals had suggested that they appear before Council annually or make some kind of an annual report. I'd like to reiterate that formally as maybe a process that they could formally adopt. Maybe during the annual budget proceedings, under Chairman Udin, the body could come in or at least the chair people or the officers and give kind of an annual update of their work.

So, I just wanted to reiterate those concerns. Obviously, I'm all in favor of the appointments.

The Chair:

Any other discussion?

I believe we should send a letter and request an annual report or meeting to update Council on their progress.

All in favor?

Which motion prevailed.

We will now move to Reports of Committee, Finance and Budget, Mr. Udin.

REPORTS OF COMMITTEE MR. UDIN PRESENTED:

Bill No. 2187:

Report of the Committee on Finance and Budget for October 13, 1999, transmitting sundry of resolutions.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2122:

Resolution transferring the amount of \$3,700 from Sub Class: 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999. —(SPONSORED BY MR. DIVEN)

Which was read.

Also,

Bill No. 2134:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Purchaser: House of the Crossroads
PURCHASE PRICE: \$3,000.00
Four vacants lot being sold to a drug and alcohol treatment service what wishes to construct permanent residential housing on site.

LOT: 24 X 94.5
LOCATION: 414 Grove Street
WARD: 5 BLOCK: 10 N LOT: 323
COUNCIL DISTRICT #6

(A) Continued
LOT: 24 X 94.5
LOCATION: 416-418 Grove Street
WARD: 5 BLOCK: 10 N LOT: 324
COUNCIL DISTRICT #6

(A) Continued
LOT: 15.75 X 52.53

LOCATION: 418-1/2 Grove Street
WARD: 5 BLOCK: 10 N LOT: 325
COUNCIL DISTRICT #6

(A) Continued
LOT: 32.25 X 94.5
LOCATION: 420 Grove Street
WARD: 5 BLOCK: 10 N LOT: 326
COUNCIL DISTRICT #6

(B) Purchaser: Freedom Unlimited, Inc.
PURCHASE PRICE: \$1,000.00
Vacant lot being sold to adjoining property owners to provide off street parking.
LOT: 20 X 100.37
LOCATION: 2205 Wylie Avenue
WARD: 5 BLOCK: 10 K LOT: 197
COUNCIL DISTRICT #6

(C) Purchaser: Kenneth L. McCall & Amy McCall, his wife
PURCHASE PRICE: \$500.00
Vacant lot being sold to property owners in the neighborhood for additional yard space.
LOT: 22 X 90
LOCATION: 1104 Herron Avenue
WARD: 6 BLOCK: 26 E LOT: 158
COUNCIL DISTRICT #7

(D) Purchaser: Armond Gustave, Jr.
PURCHASE PRICE: \$5,000.00
Two story brick house requiring rehabilitation.
LOT: 14.10 X 55
LOCATION: 3517 Leech Street
WARD: 6 BLOCK: 49 N LOT: 26
COUNCIL DISTRICT #7

(E) Purchaser: Anthony & Daisy Phillips, h/w
PURCHASE PRICE: \$1,000.00
Vacant lot being sold to adjoining property owners for additional yard space.
LOT: 25 X 100

LOCATION: 7732 Susquehanna Street
WARD: 13 BLOCK: 175 G LOT:
133

COUNCIL DISTRICT #9

(F) Purchaser: Armond Gustave, Jr.

PURCHASE PRICE: \$1,000.00

Two story brick house requiring rehabilitation.

LOT: 12.10 X 65

LOCATION: 310 W. Elizabeth Street

WARD: 15 BLOCK: 56 N LOT: 252

COUNCIL DISTRICT #5

(G) Purchaser: Greater Allen Full Gospel

AME Church

PURCHASE PRICE: \$750.00

Vacant lot which purchasers intend to combine with property they already own or are buying and build a church.

LOT: 48 X 128.75

LOCATION: 1308 Columbus Avenue

WARD: 21 BLOCK: 22 F LOT: 225

COUNCIL DISTRICT #6

Which was read.

Also,

Bill No. 2135:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Purchaser: Higher Call World Outreach Ministries

PURCHASE PRICE: \$1,001.00

Two vacant lots being sold to parties who wish to build church on site.

LOT: 24 X 108

LOCATION: 2513 Perrysville Avenue

WARD: 26 BLOCK: 46 B LOT: 105
COUNCIL DISTRICT #1

(A) Continued

LOT: 24 X avg. 108

LOCATION: 2515 Perrysville Avenue

WARD: 26 BLOCK: 46 B LOT: 106

COUNCIL DISTRICT #1

Which was read.

Also,

Bill No. 2136:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Purchaser: North Point Breeze Planning & Development Corp.

PURCHASE PRICE: \$1,000.00 + Costs

Two and one half-story brick house requiring rehabilitation.

LOT: 45 X 121.44

LOCATION: 306 N. Lang Avenue

WARD: 14 BLOCK: 126 D LOT:
123

COUNCIL DISTRICT #9

(B) Purchaser: P.H.A.S.E.

PURCHASE PRICE: \$1,000.00 + Costs

Two-story frame shingle and aluminum siding house requiring rehabilitation

LOT: 42 X 20

LOCATION: 507 Armandale Street

WARD: 25 BLOCK: 23 E LOT: 248

COUNCIL DISTRICT #6

(C) Purchaser: Observatory Hill, Inc.

PURCHASE PRICE: \$1,000.00 + Costs
Two and one half story frame house
requiring rehabilitation
LOT: 25 X avg. 103 X 22 ft.
LOCATION: 3002 Perrysville Avenue
WARD: 26 BLOCK: 77 J LOT: 2
COUNCIL DISTRICT #1

(D) Purchaser: Observatory Hill, Inc.
PURCHASE PRICE: \$1,000.00 + Costs
Two and one half story frame house
requiring rehabilitation
LOT: 20 X 90
LOCATION: 3020 Perrysville Avenue
WARD: 26 BLOCK: 77 J LOT 11
COUNCIL DISTRICT #1

Which was read.

The Chair:

You have heard the reading and
title of the bills, is there any discussion on
the bills?

Hearing none, the bills are now
ready for final action.

All in favor of the passage of the
bills will vote aye when their names are
called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken
agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor

AYES Nine NOES None

The bills have received the legally
required number of votes and have passed
finally.

MR. HERTZBERG PRESENTED:

Bill No. 2188:

Report of the Committee on Public Works
and Environmental Services for October
13, 1999, transmitting three resolutions to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2125:

Resolution granting unto The
University of Pittsburgh, 124 Cathedral of
Learning, 4200 Fifth Avenue, Pittsburgh,
Pennsylvania 15260 their successors and
assigns, an encroachment to construct,
maintain and use at their own cost and
expense, underground steam, chilled
water, sanitary, water/fire protection lines
and electrical utilities on portions of the
right-of-ways on Terrace Street, DeSoto
Street, O'Hara Street, N. Bouquet Street
and Sutherland Drive in the 4th Ward, 8th
Council District of the City of Pittsburgh.

Which was read, received and filed.

Also,

Bill No. 2127:

Resolution Vacating a portion of
Murko Way and 12' Unnamed Way in the
25th Ward, 6th Council District of the City
of Pittsburgh.

Which was read.

Also.

Bill No. 2128:

Resolution Vacating 10' Unnamed Way between Elba Street and Centre Avenue and a 5' Unnamed Way from this 10' Unnamed Way to its easterly terminus in the 5th Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All those in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bills have received the legally required number of votes and are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2189:

Report of the Committee on Housing, Economic Development and Promotion for October 13, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2164:

Resolution amending Resolution No. 395 of 1998, effective July 7, 1998, entitled, "Resolution approving the Redevelopment Proposal dated March, 1998 including Modification No. 6 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty, in the 11th -Ward of the City of Pittsburgh (Council District No. 9)" by inserting language to require the City to provide assistance for displaced businesses. —
(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bill?

Mr. Ricciardi:

Thank you, Mr. President and colleagues.

Yesterday afternoon at 4:35, I had an opportunity to take a call from Mr. Al Vento, Jr., who, number one, wanted to give a thank you to the collective body here.

Mr. O'Connor, Mr. Al Vento informed me that the meeting with yourself and Mr. Birru was, number one, productive. Number two, he was very pleased that the meeting occurred. I am paraphrasing now, the Director of the Urban Redevelopment Authority, the URA. According to Mr. Al Vento, Jr., Mr. Birru has committed and promised that he will undue "the wrong" that has been committed in this situation and that he will make the Vento family whole.

Now, I was very pleased to hear those quotes from Mr. Al Vento, Jr. Also, Mr. Dan Onorato, Michael Diven and myself had an opportunity to speak to Mr. Birru on a conference call several days ago. I believe we received the same type of message.

May I say that it's interesting colleagues, and I think we don't want to lose track, that the intent of the legislation was in order to stand up for the Vento family when we thought that they were not treated fairly in terms of their promised opening date of May.

Let me tell you what Al Vento stated, in the past few months at the very most, he always saw four employees, four workers, most of the time two employees, working on his site. In the last week, since this legislation was presented, he's seen up to 15 workers working on the site. So, once again I believe the old adage is true that we are, at times, the avenue of last

resort. When this City Council moves as a collective body, I think we get results and I think we get productive results. What a difference between 2 workers working on his site and now they're up to 15 workers working on the site. I think we sent a very strong message to Home Depot and the URA stating that they had a commitment, they had a promise, to be open by May and now we're in October and they should move fast on it.

So, in the spirit of cooperation with the URA and also in the spirit for those members that abstained or voted no, I would like to recommit this bill for tomorrow, hold the bill for two weeks, monitor the progress, and monitor the entire situation out in the East Liberty area. Then, hopefully, we can just table the bill if things turn out right, Mr. O'Connor. If they do not turn out the way that I foresee it turning out, then I will be pushing for a vote.

I want to thank all of my colleagues for the discussion on the bill. I realize at times it was very spirited, but I think it talks about what we believe is very true. That is that if government moves, that we should make sure that all interest groups, business people, taxpayers and residents are taken care of.

Mr. Vento, and I have no reason not to believe him, told me that when he first received the initial call, colleagues, from the URA and they mentioned it to him and he had second thoughts, they said, well, we'll just take your property. I believe that. I believe they would have just taken the property and that's why we can't step away.

It's also interesting, though, I think some of the media should maybe do

another story on the Vento story. I realize they were on PBS and realize that they were on the first page of the Wall Street Journal. But, colleagues, and I didn't realize this, this is the fourth time, the fourth time, that they've experienced eminent domain. That's very difficult for a family. Every time you get started, the government comes in once again.

But, just to summarize, I think that we're moving in the right direction and I think we have a commitment from Mr. Birru. Let's give them two weeks and maybe we don't have to do it through a legislative action. Such as Ms. McDonald stated, maybe at times we should work through policy and put aside our legislative hammer.

Thank you.

MR. RICCIARDI moved to recommit.

MR. DIVEN seconded the motion.

The Chair:

Discussion on the recommittal.

Mr. Onorato:

Very briefly. I just want to thank Councilman Ricciardi for introducing the bill.

I am also very pleased with the conversation I had with Mr. Birru. I have no problem letting Mr. Birru try to work this out over the next two week period. Did this grab his attention? Who knows. The point is that it does have his attention now and that it's a priority for the URA. Let's give them the opportunity to try to correct any problems that exist here. We

also have the ability to bring it back up if we can't get a resolution.

So, I'm willing to commit for the purposes of letting the URA try to work this out over a two-week period.

Ms. McDonald:

I'm also pleased to hear the progress. My abstaining was basically what Councilman Ricciardi had referred as to look at an overall comprehensive policy to protect people like Vento. I think that Mr. Vento has brought to the floor the frustrations that small businesses feel when there is major redevelopment in an area and the fact that they need alias and they need the support, the political will, to ensure that their investment, their long term investment, in the City does not go unrewarded or, at least, uncompensated.

So, I look forward to possibly the City Administration coming forward with legislative language to insert in our existing ordinance that governs the redevelopment proposals and TIF's and what have you.

I appreciate Councilman Ricciardi coming to the table and, at least, forcing the issue. My main concern all along, forget all the other rhetoric around here, is to make sure that a business person like Mr. Vento who has invested in this area, has not left. If you go to his restaurant anytime, anytime, you will see what Pittsburgh is all about. You'll see all kinds of folks there at all socioeconomic levels, all races, genders, and age groups. If they're not at Vintage, they're coming over there to Mr. Vento to eat.

So, again, I appreciate his services to the City. I thank Councilman Ricciardi. I make no bones about it, I think that anybody can go to any other Councilperson. Any business can solicit any of us. I think that when one Councilman or one Councilwoman comes to the table, they're coming to the Legislative Body and we have to agree as a whole. They only introduce it, they only introduce it. But, I really wish we would get away from this, well, who introduced this, who's pushing this. It's not a matter of who's pushing it, it's a matter of what this Council Body does in the long run.

So, I appreciate all the efforts from all colleagues on Council to represent the little guy and little businesses in all areas of the City of Pittsburgh.

Mr. Ferlo:

With all due respect to my colleague, Councilman Ricciardi, I appreciate him bringing this issue to Council's table. I come from a little bit different point of view. I don't believe we should recommit the bill. I think the bill should be tabled now. I think the activity and the advocacy on the part of my colleagues who spoke well last week have caused activity to be pursued by the Redevelopment Authority.

I think we're sending the wrong message. Not only an illegal message, but just a bad policy message to the public, to community groups and to property owners. We're going to have and we have had significant and controversial eminent domain cases. The Pittsburgh Wool Heinz situation comes to mind, we have a pending issue that will be coming up, and the community in Councilman Udin's

district that was a very well attended public hearing several weeks ago. I assume at some point there will be some matter forwarded to this Council. We have the whole potential of debate and policy discussion on the Forbes/Fifth Retail and others I'm sure that will come up.

I continue to be concerned about what I think is an even much slower progress in the Federal North Redevelopment Proposal even to the extent now of Allegheny General Hospital basically saying they want to withdraw, if I understand correctly the comments that have been made. Either they're reevaluating or want to withdraw as a major tenant. I don't know where that puts us financially.

I guess the reason why I want to say this is I want to ask Councilman Ricciardi and Mr. Onorato, in particular, to think about this because we have this pending situation with Forbes/Fifth. What is the appropriate role for Council to play and when should we play it?

If we want to be concerned prior to the vote on eminent domain, once Council takes a legislative vote, whether we agree with it or not, I think we're out of the picture. We're not out of the picture as far as moral argument and we're not out of the picture as far as using our voice and being advocates as was the case last week with Mr. Ricciardi's defense in the Vento's Pizza situation. But, legally, I think we are out of the picture.

Now, we can look at State Representative Bill Robinson's proposed legislation where he's talking about making clearer the eminent domain

legislation statewide. I would ask that the President, pursuant to that discussion, maybe ask Mr. Robinson to come in and give us a briefing on what his bill wants to do. I think he wants to kind of reign in the unfettered dictates of eminent domain and kind of restore some basic property rights in terms of the smaller business community and not have eminent domain be used for one private takeover versus another private takeover. But, get back to its original intent of being for the broader public good.

If we don't table the bill today, we're giving this wrong message that somehow we can legally intervene later on which I don't believe legally we can and I think we're sending the wrong message. If Council has concerns about the smaller business community and/or vested property rights and owners, prior to eminent domain, we should find a way to make it part of the action prior to a Council vote. Once we vote on creating either the development zone and, then, take the vote on eminent domain, we're kind of out of the picture. So, I don't want to send the wrong message here. I want to restore the legislative separation of powers here and ask Council to think prior to --

I'm particularly concerned about the Forbes/Fifth. There are major policy issues. I'm not sure what the consensus is on Council, but we have to make it clear earlier to the Administration and to the Urban Redevelopment Authority as to what our view is on any matter. In the case of Forbes/Fifth, if we want to make it clear that we want existing property owners to have equity interest in this new deal, either as property owners, renters or tenants or owners of some of the buildings including the restoration or maintenance of

some of the structures, then we better find a way to do it ahead of time.

Once we consummate these votes, I really think legally we're out of the picture. I think we're going to send wrong messages to property owners who think they're going to come months later and have Council be the form of last resort. I don't think we can be the Council of last resort. We better be the Council of first resort and people better get to the plate early on and express themselves.

I point back or I hearken back to the vote that this Council took on the Market Square Bridge which I did not vote for because I thought it was the most ridiculous bridge I ever heard of. To build an enormous bridge only for it to end at Market Place made no sense to me. No one from the First Side Preservation Group attended any of the Council meetings. We had two public hearings. Then several years later all of a sudden they woke up one morning and said, oh, we have a bridge we better speak about it. I don't know where they were prior to Council voting on the whole thing. I'm talking about that PAT bridge across the Mon.

I'm going to vote no because I think the bill should be tabled. I think we should work both publicly and privately as advocates as we all do in the case of this situation. But, I think we're sending the wrong message out there to the community.

To the Post Gazette, this is a footnote. I read a story the other day by Tom Barnes, my great reporter there. If you read the article, it looks like Councilman Onorato and myself and the Mayor are being subpoenaed by the

Garden Theater to discuss our views on pornography. That's not what they're seeking our opinion on. They're seeking, at least that I know, they want to review my public comments about how Federal North was put together, how a consultant was chosen as the developer and the like. I wish the Post Gazette would wake up once in a while.

In any event, I'm going to have to respectfully vote no today. I think the bill should be tabled. I think somehow Council should come back together and kind of express its legislative dictate and force more of a policy impression on the Administration before they start wheeling and dealing and dividing up the cake. I hope we find a way to do that early on in the Forbes/Fifth situation.

Thank you.

The Chair:

Speaking of a former small businessman, whether it be the bridge issue, Bedford Dwelling or East Liberty, small business people don't have an opportunity to come down and sit in city hall all day. That's the problem and that goes for usually neighborhood issues. Until it affects you and, then, all of a sudden it gets your attention.

If you look at what happened, when I voted for a blighted area, whether it be East Liberty or downtown, what I was told was this was a great opportunity to go out and get federal and state money, matching money, and we could bring all this money to our city, never dreaming that I would be kicking out small business people.

So, what we vote for two years ago and it comes back to haunt us, we have no other choice. I think just for the record I'd like to mention Ms. McDonald, without her leadership and the Mayor's Office, Home Depot wouldn't even be there.

Vento, I felt he had a very fair deal, that he was kept right where he was at. I was there when he was promised verbally, three to four months you will be back in business. He had the opportunity to do the same the Wool guy did, the exact same thing. I advised him, no, you don't want to do this, it'll fair, you'll miss a couple of months work. If he was told a year later, there's no way he probably would have signed that agreement or, at least, put something in writing for him.

Whether it's legal or not, Council is always going to be the last resort. We up front things and, then, by the time it's finished, maybe it's all good intentions, but the end result is always not what we or the neighborhoods expect, whether it be a neighborhood issue or a small business issue or a big business issue.

So, I think we have to, at least, have a process that we can be involved in. Again, I don't think we should be in every dollar and cent deal, but we do have to protect our neighborhoods.

Mr. Ferlo:

I'll just respond quickly.

I don't want to be misunderstood because everybody, especially with this issue, went off in a tangent, which I think was totally ridiculous the way the media played it out. I didn't think it was a big

discussion that we had our point of difference.

In any event, I'm only trying to reinforce the point that if we want to be strong and vocal and legal on an issue, if we can please try to find a way to do it prior to us consummating these votes. Setting aside the issue that Mr. Vento had very able legal counsel, in fact overpaid legal counsel as far as I'm concerned over \$22,000.00, if prior to us consummating these votes on the TIF's, on eminent domain, you name it maybe we should -- this is like a learning process also for many of us.

I'm saying to my colleagues that maybe we should have discussed, in that situation, what is the construction time line scenario and what commitments have been made. I think maybe there was a presumption that since the individual had legal counsel and was negotiating directly with Home Depot that those things were discussed.

I'm only trying to raise this as an issue. I hope we find a way prior to these final votes that if we're concerned about who's in and who's out, what the construction time lines are, what people are going to be paying in the future for rent, we have to find a way to do that. Legally we're on weak ground as far as I'm concerned once we vote yes and turn it over to the Mayor and to the URA.

So, I'm trying to use this as an educational process and suggest, especially with the upcoming Forbes/Fifth or even maybe the Bedford situation, that whatever we decide policy wise, we better find a way to express it prior to the consummation of a vote.

Mr. Udin:

I also want to speak to the issue of recommitment. I want to vote no on the recommitment. I think we should either vote down today or table it today.

The reasons are the same as the reasons that I expressed last week. I think our intervention is illegal, I think it's inappropriate and I think it's unnecessary. Those are the reasons why I don't think we should hold it, but I think we should dispose of it and send a very important message to the City that we have disposed of it.

It's illegal because I think it violates the Pennsylvania statute on relocation expenses and how they are reimbursed. I think it's illegal for us to indemnify a party in a private transaction. I think the statute is clear that in redevelopment projects like this, there are no reimbursements for, so-called, lost income or future profits. The statute is very specific in pointing out what categories are not reimbursed and lost of good will and lost of profits are mentioned specifically in the HUD regulations as well as the state statutes on reimbursement in relocation situations.

I say it's inappropriate because there are several businesses that what I think follow this precedent and step forward to be covered for lost future profits or lost expenses. If you recall, the Highland Hotel was included in that project, the House of Nails, Highland Cleaners and (inaudible) Bar. I wonder if we open up that precedent what message we are sending and what legal precedent we are setting for covering any claimed

loss income that those companies might claim as well.

I am extremely concerned about the implications for this precedent on the Fifth and Forbes project. If we enter those negotiations with a precedent of having covered businesses for loss future profits, then we will be very much like Mr. Ferlo frequently says, the city is one big fat checkbook. We can just open up the checkbook and write everybody the same level of profit that the Kumer's received in the Heinz deal because that's exactly what will happen. Everybody will just hold out and wait for Council to come and rescue them.

So, I think it's legal, I think it's inappropriate and I think it's unnecessary. I would encourage colleagues to vote no on the recommitment and let's vote this thing up or down today.

Mr. Ricciardi:

Just an ending for myself, Mr. President. First, I'm still supporting the recommitment even though I know, not that I think, but I know the votes are here on City Council now to pass this bill. Just in the spirit of cooperation with the URA and the other members, that's the reason I'm making a motion to recommit.

Also, in direct comment to one of the comments by my colleagues, I'm never out of the picture, never out of the picture. Never out of the picture for any small businessperson or any taxpayer or anyone who wish to call my office, I'll jump back into the picture with two feet.

Let me say that there is a precedent colleagues. The amendment that I

sponsored is no different, as a matter of fact, it's identical to the amendment that was supported by this Legislative Body on a vote of nine to zero and it was attached to the Heinz TIF development. As a matter of fact, this amendment was there in order to support those eight or nine small businesses. It was there for the Pittsburgh Wool Industry, it was there for the Billboard Industry and it was there for any other entity business, taxpayer or whoever was on site and was going to be displaced.

In response to one of my colleagues, maybe the eminent domain state law does not talk about loss income, but we have done this in the past and we can continue to do it and I will continue to do it. That goes beyond state law. State law is there once again, as I stated before, to protect the government's interest. I think we have ethical and moral responsibilities and positions and more principle, more principle, than those that passed eminent domain laws in the past in Harrisburg.

I need to make that clear. This amendment is identical to the amendment that was supported on a vote of nine to zero regarding the Heinz development. That is very clear.

But, once again, there were several of my colleagues that did not want to recommit this bill, that realized that they had the votes for this bill. But, I'm doing this just in the spirit of cooperation. I hope I don't have second thoughts on that because I've made a decision on that matter. I know I've disappointed some people because they were willing to move on. So, I am disappointed in some of the commitments I've heard obviously.

The Chair:

I certainly will support your recommitment because I think it's the prudent thing to do. You could probably have the votes but, out of good spirit and the spirit of cooperation, you've agreed to recommit it.

I know that without Councilman Onorato's intervention in the Heinz fiasco over there, we would probably still be in court or facing a big legal challenge.

MR. RICCIARDI moved to recommit this bill.

MR. ONORATO seconded the motion.

The Chair:

Roll call vote on the recommitment.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Six **NOES** Two

(Mr. Ferlo and Mr. Udin voted no)

The bill is recommitted.

Mr. Udin:

Mr. President, if you could just indulge me on this matter. Although the bill is disposed of for today, there was

another matter that was attached to the bill that I feel compelled to comment on if I may because it was a part of last week's discussion.

I guess it would be easier for us to ignore the 800 pound gorilla sitting on the coffee table that has to do with the confrontation that occurred last week at the Council table. But, although it might be the easier thing to do, I don't think it would be the right thing to do. I want to go on record and make sure that the public is clear where I stand with regard to my regrets, quite frankly, about what happened at the Council table last week.

First of all, I think that we as elected officials in this City have a very important role in something that I might describe as race relations leadership. I think that we did not demonstrate a good model for race relations leadership at the table last week, I certainly didn't; I'll speak for myself. I regret my own role in it for a number of reasons.

One because I have tremendous respect for Councilman Dan Onorato, number one, as a lawyer, as a person, as a City Legislator and personally because I like him. I regret that that confrontation occurred. I regret it also because the incident distracted us from being able to zero in on the issues relative to the bill rather than some (inaudible) discussion about what language somebody spoke in.

I want to come back to the issue to put the matter to rest. But, to put it to rest in an appropriate way not by ignoring it, but by speaking on it. And to express to all of my colleagues and the public my own regret about participating in the incident in a way that I think is not

becoming of public officials especially with regard to issues as explosive and important and as sensitive as race relations in this City.

Mr. Onorato:

I'll just add that Councilman Udin called me within 12 hours after the incident. We talked and he pretty much reiterated what he said here. I told him as far as I was concerned the issue was over, it was a heat of the moment discussion that we had and we'll move on.

I also will say that I consider Councilman Udin a good friend and a good colleague. It is an incident that as far as I'm concerned it is over. We'll move on and let's keep to the issue at hand. I think the worse thing to do is to prolong that and that's why I refuse to continue to in the media through interviews and how it was played out. I was actually surprised how it was played out to be honest with you across the area. It's behind us as far as I'm concerned.

The Chair:

We are now ready for the other bills, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and are past finally.

MR. FERLO PRESENTED:

Bill No. 2190:

Report of the Committee on Engineering and Construction for October 13, 1999, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2137:

An Ordinance amending and supplementing the Pittsburgh Code, Title Five, Traffic; Article I, Administration, Chapter 503, Enforcement and Control, Section 503.07, Stop Points, by establishing a process for the placement of STOP signs and WATCH CHILDREN signs within the City of Pittsburgh. — (SPONSORED BY MR. O'CONNOR & MR. DIVEN)

Which was read.

Also,

Bill No. 2138:

Resolution authorizing and Directing the Director of Engineering & Construction, in conjunction with the Director of the Department of Public Works, to implement a program to significantly enhance the visibility of pedestrian crosswalks and to develop a Crosswalk Safety Campaign to raise the public's awareness of laws governing pedestrian safety law and to increase the number of drivers who stop for pedestrians at intersections establish a dangerous intersection hot line. —(SPONSORED BY MR. O'CONNOR)
Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bills?

Mr. Ferlo:

Mr. President, unfortunately, I was out of the room last week at the Committee Session when we started talking about these bills. I do want to thank you for your leadership in intervening on these issues. I think all of us on this Council and, certainly, many in the community, many neighborhood residents, are frustrated with general traffic control issues at the neighborhood level. Whether it's a request for watch children's signs or the view that we need more stop signs at intersections especially in relation to either speeding or vehicles that are traveling through small, congested residential neighborhoods too quickly. The view is that we need more stop signs.

We have a legal opinion today, which I won't dwell on. I did have reservations to you, which I expressed last

week. Regardless of how well intentioned both bills are and they are and I think they're elements of the bills that are not only legal, but administratively, could be workable. I have a problem with the final way that they've been written in both respects and I would have to, at this point, vote respectfully no on both bills. Or based on a legal opinion I was wondering whether or not you were interested in recommitting the bill to try to clarify with the law department and with the police chief and Director Reginella what is legal and what is not legal and what makes sense administratively.

Your notion of creating a hotline or some way of garnering or getting community folks to formally communicate to government either through the Mayor's complaint center or to Director Reginella, Engineering and Construction or to the zones, I'm not sure administratively how it would work. But, the notion that we keep track of or that residents should, at least, be able to call when they think there's a critical intersection problem, whether it be lack of a crosswalk painting, lack of a stop sign, a traffic control signature, a signage being out of whack in any respect, I think the idea of a hotline or some clear way that people know that they need to call.

We've had situations ourselves. This Council has settled a number of lawsuits, where unrenounced to us, a stop sign was down, either it was knocked over or hit by a truck and it was not put up right away, and people did not know the area. We had one situation where there was a significant lawsuit and a major death in an accident in the Strip District area. That's an example where maybe a hotline was important. I don't know if 911 should play that role. I think that issue needs to be explored fully.

I'm worried that regardless whether Council passed these bills today, administratively they'll even be vetoed or the Administration won't take off the substantive issues that you're raising and I agree with the substantive issues.

I would like to find a way for this Council, legally, under our Broad Police Powers Act, to add other criteria for stop sign installation by the Department of Engineering and Construction.

I don't know that that's expressed in either bill unfortunately because the view of the city department is that it's the area of the police chief and there are very specific state warrants that have to be met in relation to the stop sign installation.

One message I don't want to send to our residents is that stop signs are going to be installed based on a political act of calling your Councilmember or a vote of this Council. I don't think that's the way city government should be run. That's the worst message, I think, we should send that somehow you have to call or know a Councilmember or come down here and speak or petition for a public hearing. That's really not a way that we should of installing red lights or crosswalks or stop signs.

There's an organized legal methodology for the installation of appropriate signage at the street level that I think we should stick to. I think you raised a number of issues and I think they're issues that everyone of us have struggled with. I think the way these bills have been written in final form, I don't think they're the legal way to go. I would respectfully have to vote no today.

Whether they pass or not, I feel that we're not going to make much progress on the bills which I think is unfortunate. So, I would ask that you respectfully think about a recommittal. I don't know if you thought about that or not. At least so we can get the police chief, Engineering and Construction and the Law Department at the table to discuss the fine tuning of the two bills and what their intent really is.

The Chair:

In response, as Chairman of Engineering and Construction, the hotline was actually in your department. I'm quite disturbed, but I think Councilman Udin brought up a good point last week that we don't Rule 8 things and rush them through. This certainly wasn't Rule 8. It had two weeks.

Here I get a legal opinion on October 19th, which is today, at 10:02, two minutes after the meeting was supposed to start. I have no time to read this legal opinion, outside the first couple of things that a hotline may be illegal. What do we do? Eliminate the pothole hotline too or do we eliminate the Mayor's Service Center?

So, I'm very concerned about that, the way it was handled here. I'm very frustrated, as all Councilmembers are, with stop signs. When Mr. Udin had a meeting in the Hill District last week, I went along Bedford Avenue and there was a stop sign at every corner except where the schools were. For some reason that end of the neighborhood didn't get the stop signs. So, I can go on and on.

I know Mr. Onorato had a lot of problems when they built the expressway over there coming off the South Side. The (inaudible) Club calls Mr. Ricciardi every week, the seniors have to cross. I am very frustrated and we see that people aren't paying attention to our crosswalks, they aren't painted. I think we have to upgrade that.

Out of respect for my colleagues, I would request that we vote for 2138 which is the crosswalk issue. The hotline, I think that's a no brainier. I believe, at the table, Director Reginella agreed with it.

If you want to go into further detail with the stop signs, if I can't get the bill passed, I would be willing to recommit that just to have some more legal discussion on it. But, I feel most of those stop sign issues are so gray, we're not saying bend the stay rules, they're so gray that it can go either way. When it take three years to put a stop sign at Nickelson and Beechwood where the Blue Slide Park is, something's wrong with our system.

I know you weren't at the meetings last week, but there's a gray area whether it's safety or moving traffic. The director or the people in charge didn't commit either way. It's like a balance. We want to keep traffic flowing, but we want everybody to be safe. To me, I think we should put safety first and traffic flow second. We certainly don't want traffic jams in every little corner of the neighborhood. So, there's a lot to be discussed and I'm willing to discuss it further.

I would be willing to hold 37 on the stop sign bill and, again, the watch children bill. I have to call a constituent

and say, the state law says we can't put a watch children sign on your street. That's pretty ridiculous if you ask me. So, that's part of it. Stop signs, yes, I don't think we need them on every block and every corner. But, some neighborhoods, by the way, do and some neighborhoods are very safe and their children count first. Other neighborhoods may be just say well we have to move traffic because the Parkway is jammed up.

I would ask for a vote now on 2138 which is the crosswalk issue which I think is legal. We just want to really upgrade them and put a hotline in to know where the corners are.

I would be willing to hold 37 to make sure we're more legally matching, I guess, the state law and what it would require. Although I'm being more courteous than our Law Department instead of saying something at 10:02.

Mr. Cohen:

I think that's a good course of action. I supported both bills last Wednesday. With respect to the stop sign and watch children sign bill, the reason I did really was out of frustration. I think a similar frustration that led you to introduce the bill. That is that it takes at least three months to get an answer from the Engineering and Construction Department about a traffic sign or watch children sign and that's too long particularly when there are dangerous intersections. The Director acknowledged it. Maybe it becomes a budgetary issue as to whether they have enough staff down there. In any event, three months or longer is just too long to wait. Usually the answer we get is, no, without much more embellishment.

What I would like to see is a quicker response and for the department to work with me and work with my community groups to say, well, we can't legally put a stop sign there, maybe a yield sign, maybe a watch children sign, crosswalk, some way of trying to make that intersection safer. I've been frustrated that that has not happened.

So, I think we should certainly continue to try to find a bill that will work and a bill that's legal. Obviously, I want to review the Solicitor's legal opinion which was just handed to us. So, I think it makes sense to go forward with the crosswalk bill and recommit the stop sign bill. But, push to try to get some improvements because we need them.

Mr. Ferlo:

I think that's a great suggestion to actually move ahead and, hopefully, achieve something. On the latter bill that you mentioned, I would only urge that, while I'm not suggesting you change anything, I think realistically, if we're already spending several hundred thousand dollars on the Mayor's Complaint Center, I don't see why that can't be the vehicle. It's not technically under the direction of Engineering and Construction.

So, I'm not suggesting that you change your bill or you say that the Director of Engineering and Construction shall establish a dedicated telephone line for citizens to report dangerous intersections. I would hope that that's actually a dictate to the Mayor that whatever the resources are, whatever the best way administratively, I don't see why we can't have a phone number, 255-STOP

and have that be answered at the Mayor's Complaint Center and, then those calls being forwarded directly to Engineering and Construction Traffic Division and/or the Police Bureau.

Many times I've had to call 911 and I immediately let them know that I'm not calling about an emergency. But, I do ask for the supervisor there when I see a dangerous situation only hoping and praying that he or she actually gets on the phone to the Public Works division in the middle of the night or whenever it is and tries to take an immediate action.

I don't always feel comfortable like you also, Mr. President, have expressed, that maybe we're not all working together clearly not administratively so that when there are dangerous intersections, Engineering and Construction is aware of what the zone levels, the zone police are aware of. People call 911 about dangerous intersections. I don't know if that always gets back to the Public Works division to correct.

So, I like your idea of the hotline and better coordination at the administrative level. So, I'm very much in favor of the latter bill and I hope we can move on it. But, administratively, I just hope they actually do something.

Oftentimes, I feel like we pass something or like your point. You've had these bills here for the last several weeks, they've had notoriety and now we get a great legal opinion.

I want to win the battle and the war not just win the battle or the war here. Hopefully, we'll move ahead on the latter bill. But, I would ask that you also, in

order to win the battle and the war, recommit the first bill so we can actually get down to the points you are making.

The Chair:

In defense of the Department, they're actually a couple of people short and it takes three months to evaluate a stop sign. So, I'm willing, and we've discussed this, budget time is coming up. If they need one or two more people, we certainly have to give them that.

I think it's a combination of working together. Certainly, 255-STOP, is the right number, thank you for that idea. Again, with computers, no matter where the call is, I would simply ask for an evaluation by the Director or Darryl Felst who is an expert at that to look and evaluate, I'm getting 20 calls from this neighborhood, there must be something here.

Mr. Ferlo:

One thing I've been frustrated on and actually what I wrote in my Public Works bills for this so-called \$10 million that Santa Claus is giving us for spending, I actually had hoped that we would look at the issue of school crossing flashing signals. I don't know what the view is of my other colleagues, but, I have a number of them.

They're really not logical because I can show you so many intersections where you may have only two signs. Depending on where you're coming from, you may never see the school crossing flashing signal until you're out of the school zone and already have a ticket. They're not logically placed. I can assure you at every

intersection where I've had one, they're just not in enough places. They need to be, for instance, at the Woolslair School, there's two of them. There's not one each way on Liberty and there's not one each way on 40th Street. So, you don't always know effectively when the school crossing 15 mile an hour kicks in.

I like that point on the first bill. But, if we don't get to re-discuss it, we're never going to get to first base and getting more of these overhead-flashing signs installed.

Mr. Udin:

First of all, I want to let you know that I share your frustration. As with all colleagues here at the table, I have at one time or another expressed frustration with not only the speed at which our request for enhancements of the intersections and stop signs, etc., gets acted on, but the method that is used oftentimes to make that decision.

However, I think that the same legal issues that are causing us to hold the stop sign bill are the exact same legal issues that the Solicitor is raising with regard to the crosswalk and watch sign elements of the bill. I think the issue of the potholes and the service center are not relevant because I don't think those were created by Council legislation.

The issue that is raised, I think is an important one. Where is the line drawn with legislative authority versus executive authority and how do we address the frustration that we feel when we get fed up with the inactivity of a certain department? Do we legislate it or do we have to find another way to force the Administration to

act on the problem? I think it raises an important question of where that line is drawn.

The issues are the same for me, legally for both bills. I would urge us not to rush along to approve the first bill without looking closely at the issues that are being raised by the Solicitor.

So, I would speak against voting on either bill today. I would hope that you would recommit them both and take a close look at what the implications are for the lines of authority between the legislator and the executive.

Mr. Ferlo:

With all due respect to Councilman Udin, I do agree wholeheartedly with him on the first bill, 2137. But, on the latter bill, I basically feel that you're basically reiterating the obvious. You're not creating any new statutory language, you're not proposing that we do anything that's not already embodied in law that is currently the power of the chief of police or Director Reginella or the traffic division. You're basically trying to encourage the Administration to get a collaboration together on initiating a public safety and vehicle and pedestrian awareness program. On point one through four, you're basically saying administratively what they already are legally obligated to do and to work on, crosswalk installation, painting. I don't see anything different. You're not dictating or imposing any Council will. You're basically suggesting a spirited campaign, a better public education, and more of an effort on the part of the Administration at replacing badly needed crosswalks.

You're encouraging a hotline notion which I think could easily be handled by the Administration and that we have an annual report from them on their progress. I don't see what the legal issues are here. I think we should send a strong message that we want greater awareness and improvement and leadership on the part of the Administration. I don't want to see --

Mr. Udin:

I guess that's the reason why we need to be able to discuss this with the Solicitor. Because, quite the contrary, she points out that the legislation does step over the executive line and begins to direct directors to do specific things. That is exactly what the legislation says.

If you look on the second page under Section 1, it directs the Director of Engineering and Construction in conjunction with the Director of Public Works and the Director of Public Safety, authorize and directed to implement a program. That is exactly the legal point that she's making that Council does not have the authority to direct directors to implement programs.

If we do have that authority, that's very important for us to know because I have a number of programs I would like to direct the directors to make. If we don't, we need to be clear on where those lines of authority are.

Mr. Ferlo:

In all due respect, in the City Code of Ordinances, we currently empower or clearly state what powers and duties are of

various directors. If you go to the section of Public Safety, if you go to the Director of Public Works, he or she is empowered to carry out certain administrative approval processes and all kinds of things. This is just stating and restating the obvious. If you ask Director Reginella, he is ultimately responsible as well as Public Works for a number of traffic signage issues.

I don't see where you're requiring them to do anything that's not already dictated under the City Code of Ordinances or is a statutory obligation of the motor vehicle code. I think you're trying to list it separately as a resolution of Council. This is a resolution, I think, and not even an ordinance. It's a resolution, not something that's permanently changing the Code of Ordinances.

Mr. Udin:

You may well be right, Mr. Ferlo. I'm just pointing out that the Solicitor disagrees.

Mr. Ferlo:

She can't always be right.

Mr. Hertzberg:

I think the Solicitor's opinion kind of mixes the two pieces together a little bit too much because they are different. Where you have one that would actually have a potential to (inaudible) the authority of our Director of Engineering and where to place stop signs. That's not the case with the crosswalk issue. There's nothing in the legislation on the crosswalks which says City Council will tell the Director of Engineering, with six votes, where to place the crosswalks.

That's not in this resolution. That's where, I think, there's a major difference and why I'd be happy to support this today as you suggested.

I think what you're asking the director to do is develop a crosswalk safety campaign to raise the public awareness of laws governing pedestrian safety laws and to increase the number of drivers that observe these crosswalks. I think that's just asking him to do what he's supposed to. Come back with a report and come up with a program. These are the kinds of things that are standard kinds of resolutions here. I don't think they really take away the authority that he has under either the City Code or the state law.

Ms. McDonald:

I don't know if I commented on this last week, but 2137 I had an immediate concern about because in looking into traffic legislation, just lastly the bicycle legislation, how much the state does govern that there are state ordinances and guidelines in place that we can't get around. It's just an obstacle that we can't get around.

I share with you the frustration in desiring a stop sign. Director Fred Reginella worked very well with me, very collaboratively with me, to place a stop sign in Homewood. But, he forewarned me that it's going to take some time because of the state. He couldn't get around it either. He said, if I could, I would. I would just place one right there because it's obvious. But, there were certain things that needed to be done according to state legislation that we couldn't get around. So, I hear your frustration in that.

I don't really call that the fault of any particular department when we're handcuffed with state legislation that won't allow us to manage the city the way we know it needs to be managed. The way we know what best served the people. I hate it when Harrisburg constantly dictates what we can't do and what we should do when they don't live here. We're local legislators, we live here. The Mayor lives here.

So, I did have problems with 2137. Not in the spirit, but because of the legal concerns.

For 2138, I agree. It is a resolution versus an ordinance. The spirit of it is to enhance our crosswalks and provide pedestrian safety. When I read the memorandum from our Solicitor, I agree with all she has to say, 100 percent. With all due respect to Ms. Morrow, I would say most of the time, 99 percent of the time, she's right. Whether we like it or not, she's doing her job. That's what she's paid to do is to give us a legal opinion whether we like it or not.

But, for 2138 legislation, I believe that there's more of a dialogue on to who's in charge here. Who's idea is it? Cut it out. I don't care who's idea it is, it's a good idea. Whether it comes from this Council Body or whether it comes from the Mayor's Office. I think we need to quit with that who's idea was it or who's going to take credit or this intriguing jurisdiction on debate. This is what turns people off about government when we get so hung up on the peripheral issues like who's idea was it, who enacts it and not look at the core issue; is it serving the

general public? Regardless of who thought of it.

So, I think we need to focus in on the spirit of this legislation, on the intent and on the content and get away from all the peripheral mess about who's in charge here. I don't care. This Council Body likes the idea of enhancing a crosswalk safety program, to have a campaign, excellent idea. Now, it's time for the Administration to work on it, it's an excellent idea. Let them run with the ball after this because they are the executive branch, they are the administrative body. They have to run with it. So, it came from this Body; I don't care.

The only concern I do have as far as the content is the hotline. I read Solicitor Morrow's opinion on the legal liability issue. I believe that when citizens report a "dangerous intersection" I think there needs to be more definite on what is dangerous. Before we get into a liability debate, let's define what is dangerous. There are many people in my community as well as throughout the city that feels something's dangerous when legally it's not dangerous or even with my personal opinion I don't feel it's dangerous and vice versa.

The bicycle legislation, I feel there are many dangerous situations and some cyclist didn't feel it was dangerous. So, it's a matter of opinion. I think legally we have to define what is, indeed, dangerous to avert a liability issue. There can be an amendment, a memorandum, something to that effect.

Councilman Udin brought up a good point about a telephone hotline. There is a pothole hotline. I don't know if

it's funded or staffed with the city and I don't know what the status is. If there is an existing hotline to address Public Works issues and streets, maybe that can be combined with this to report dangerous intersections so we're not duplicating. We don't need four or five hotlines. You can try to collapse some to just make it a little more easier for the public to be able to report instead of thinking which hotline should I call. It should be a general purpose hotline for traffic, streets, etc., etc. So, let's look into that, it may not be a problem.

Mr. Udin:

Just one point if I may, Mr. President.

I'm not speaking against the legislation. I'm just pointing out to colleagues that the reason why we asked for the Solicitor's opinion was to give us an opportunity to consider the legal implications. If we are not going to even consider the legal implications, then I don't know why we asked for the Solicitor's opinion. It only makes a difference of one week where we would have an opportunity to sit at the Council table and discuss these issues with the Solicitor because we are the ones who asked for her opinion. It seems to me that, at least, we ought to have this discussion with the Solicitor to find out what the basis of her objections are before we rush ahead to vote. What is the hurry? We asked for the legal opinion, she gave it, albeit late, but we have that opportunity to discuss it with her and it will only cost us a week. What is the hurry?

Mr. Ferlo:

Mr. President, I hate to belabor this point, but I will. If our great Director Reginella was here looking at this latter bill, 2138, he'd say it's a great bill, show me the money which is the real problem. This is a great bill but if we don't dedicate some additional money for a crosswalk painting or for planning and design as to where there are failed intersections, what needs to be done, we're going to go no where fast.

So, I'm all in favor of this latter bill. I would hope that we look at that \$10 million in Santa Claus money and we look at the issues of additional crosswalk painting and stop sign installation and school flashing sign location installation, etc. No matter how well intentioned this bill is, basically city personnel and/or material resources are tapped out.

So, if we want to make a big push similar to the way Councilman Onorato raised on the issue of getting further ahead on demolition work or lot clean-up, Councilman Ricciardi and others, we're going to have to dedicate some additional resources in a pot of money.

I would once again reiterate to my colleagues and to the public, we have a bifurcation of duties here. Engineering and Construction does the analysis and the methodology and kind of writing up what's legal and what's not legal about traffic intersections. But, the working department is Public Works.

The crosswalks are not actually tainted or actually repaired as a result of Engineering and Construction, it's in the Public Works daily work. So, I would ask that we keep that in mind that we have split duties and responsibilities here on

some of these traffic signals and signage issues. Your bill, however, does state that both the E&C Director and Public Works would be involved.

I don't even know if we really have a Public Safety Director. We do have the esteemed Deputy Mayor who, at least, theoretically, is a Public Safety Director so we can get some federal funds. But, really it's the Police Bureau that's actually empowered under the code to ultimately make some decisions about some of these traffic safety.

So, at some point if we vote on this, I hope we also come up with some money so Director Reginella and Director Costa can actually fulfill the hoped for intent of this bill.

The Chair:

I think that's part of the process. In the discussion, I believe, he would at least need two more people to do this. Also with the new Director of Public Works, I would look at him in taking the five divisions and start separating, the painting division so that each crew would have a painting division, a forestry division, a graffiti division. A lot more can be done. I think having one crew go all over the city that's a management technique that I think has to be adapted.

Mr. Ferlo:

One thing that always amazes me is why is it that graffiti paint can last 100 years in the City of Pittsburgh, but street paint only lasts one year? Maybe we should be using graffiti paint on school crosswalks.

The Chair:

Also, on the crosswalks, it's amazing as we start looking into it, what other cities like Portland are doing. They have little cat eyes, whether they light when somebody steps into an intersection, it lights all of a sudden. It's very inexpensive, it's a little nightlight light up. So, there's a lot of things we can be doing to make our city a lot safer and a lot better.

Before we call the vote, though, I would make an amendment to take the word dangerous out of the intersection. Just to change that to traffic needs on intersections.

MR. FERLO seconded the motion.

Which motion prevailed.

All in favor of the amendment?

Which motion prevailed.

On bill 2137, which is stop signs, actually I'm kind of glad we're doing it because I'm going to bring in a lot of people from Harrisburg. I'm going to get all our friends to show us how they're going to help us to make the city safer. I'm also going to bring in crossing guards who have called my office since this started. I'll bring in some senior citizens and some kids who did a survey, Mr. Cohen, in our neighborhood.

One of the schools has been trying for two years, actually did a survey in front of Giant Eagle on Murray Avenue. They actually have all these surveys and how many people and how many signatures and it went no where. So, I'm going to have a lot of interesting meetings with this. I

hope that our law director is here because also Mr. Rodney and Mr. Doug will have a lot of time challenging, working together and probably drive her crazy. So, I'm glad she brought this up. I look forward to a lot of heated discussion and debate on that issue.

Mr. Ferlo:

Thank you for making my life more miserable. We can all rally people to be supportive of stop sign installation. The issue is does it make sense legally and from a public safety point of view.

I can show you a crosswalk that is not only inappropriately placed on Butler Street between a city parking lot and a state senator's office, it used to be an office, and it's a dangerous situation. It implies that there's a legal crosswalk there when there's not. That's an example where somebody politically made a decision to paint some lines, but legally does not make any sense and Public Safety wise it doesn't make any sense because it conveys to a person leaving the curb that they somehow have an illusionary right-of-way that doesn't exist. That's an example where, thanks to politics, somebody's going to get hurt and something is bad.

So, I hope we can keep to the issue of what makes sense in terms of the Public Safety involved and vehicle safety and do this in the right way that it means something and it's legally sustainable.

The Chair:

I certainly agree with that. I would be the last one to put a political stop sign up. When it takes three years to get a stop sign, that now everybody agrees with, I

think the old director wouldn't put a stop sign anywhere.

Mr. Ferlo:

Jay walking is illegal.

The Chair:

Jay walking is another thing. That's a Pittsburgh right. I was born and raised here --

Mr. Ferlo:

I heard a radio commentary that said you were supporting an illegal jay walker.

The Chair:

I went to Washington, DC, my first visit and got a jay walking ticket 20 years ago.

Mr. Ferlo:

People are under the false impression that pedestrians always have the right of way and that is not the case legally nor common sense wise.

The Chair:

It's only in the crosswalk.

Mr. Ferlo:

If you're about to step out in front of a two ton vehicle, it is not advisable.

The Chair:

For all us Pittsburghers that jay walk, people do not have to stop for jay

walking. They only have to stop when you're in a crosswalk.

THE CHAIR moved to recommit Bill 2137.

MR. FERLO seconded the motion.

Which motion prevailed.

The others bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **One**
(Mr. Udin voted no)

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

Mr. Diven:

I just wanted to take some time to frame a resolution that I introduced today. It's an action asking the Department of Finance to come up with a comprehensive

plan for developing a tax credit program for Business Privilege Tax in the City of Pittsburgh that will help to encourage businesses to hire Pittsburgh residents first.

Initially this idea came to me as a result of sitting in on a post agenda hearing that Councilwoman McDonald had sponsored regarding her TIF legislation. There was a lot of things that were discussed in that meeting.

One of them was the fact that TIF's would only hit a small percentage of the total employers in the City of Pittsburgh and making requirements and that they wouldn't be going far enough to encourage new job growth and development. Additionally, one of the things about this particular piece of legislation, -- I'm asking the rest of Council to be a part of the discussion tomorrow to help come up with some positive ideas and recommendations. I'm looking forward to working with the Administration to create something that actually works. I believe taking the approach of providing a carrot instead of a stick to encourage business employers to hire Pittsburgh residents first may be a great tool not only in increasing employment opportunities for residents of the City of Pittsburgh, but also to provide a fair and balanced across the board financial incentive for encouraging businesses, especially smaller businesses, more success in the City of Pittsburgh.

We'll be having that discussion tomorrow. I look forward to all of Council's participation and suggestions to make this plan work. I've asked them to come up with a feasibility study and draft a detailed outline of how this plan will work and come back in front of us within 30

days. That way we can make the adjustments that we need to make to have this program up and running next year in this year's budget for the City of Pittsburgh.

The Chair:

Thank you.

I look forward to tomorrow's discussion.

Ms. McDonald:

On the same issue, I heard it on the radio coming in Mike about the legislation. I want to commend Councilman Diven for going that extra step that goes way beyond TIF and goes into the tone that needs to be set across the city which is what I want to do is set the tone. I agree with you 100 percent. I think the way you're going about it is the right way.

When you constantly hit people with a stick, they'll rebel. They'll get up, they'll fight you and all you'll be is bloody and nothing will be resolved. If you go about it in a manner that is an incentive, it works a lot better. You get more, what is the expression, more bees with honey than with vinegar. I probably said it wrong, you know the spirit of what I'm saying. So, I look forward to that discussion.

Mr. Onorato:

I have in my folder here a memo that I received from building inspection, I don't know if my colleagues received any. I'm not starting to receive memos from BBI on requests from my office to tear down buildings. The memo says, I'm

sorry to inform you that all the money has been encumbered for the year 1999, we will tear down no more homes. This is only October and we can't tear down any more homes that aren't on the list.

I want to remind our colleagues here that it was Council that took the line item for demolition from \$600,000.00 to \$1,000,000.00 twice. That memo tells me that a million dollars isn't enough. I think we should double it. I think it should be a \$2 million dollar line item next year, for demolition. If I can't get buildings down because we're out of money, there's a problem.

I am not going to divert the \$10 million dollars for what we should be doing on an annual operating basis. We should be taking down problem properties and we should be cleaning lots regardless of the \$10 million dollars that was released. This shouldn't be a one time thing. We have to get the capital budget back into line to what the city should be doing. Tearing down problem properties is a priority for any government.

If a million dollars isn't enough and a quarter of your year you're out of money, then we have a problem. I'm going to be looking forward to working with my colleagues to try to come up with the appropriate amount of money to make sure that we continue to take down these buildings because I have a lot that has to come down. I know it's not unique to my district. I think we should seriously start talking about these quality of life line items again before we get into the \$10 million dollar discussion.

I just wanted to inform everybody that if you haven't received a memo, the

money is gone and no new buildings can be added this year.

The Chair:

I might ask you to consider an audit. I remember the director being here, I think it was May, and said he didn't even start into this year's money. Do you remember that?

Mr. Onorato:

Right. I remember.

The Chair:

Now, you doubled it. Now, either all of that money or a lot of that money went to the big ticket items, whether it be the stadium or some other thing, I don't know. I'd like the Controller to do an audit or yourself to follow the money and see where it went. If it went into our neighborhoods, there might be some compassion. But, I can't see how in May they didn't even start on this year's money and you doubled it. Remember the old argument they couldn't hire people to even tear it down. So, something is not right here.

Mr. Onorato:

Maybe we'll wait a week to see if the Chief of BBI can give us the breakdown of all the money, where it has gone this year and why we're out of it already. If we can't get a good answer, then we'll ask the Controller to do it. But, I think I'll start there.

The Chair:

I'll leave that up to you.

Mr. Ferlo:

First of all, I'd like to ask Councilman Onorato to share the memo. I don't know if we received it, maybe we did. I haven't seen it yet.

Secondly, whether it's the \$10 million dollars or a percentage thereof or whether it's the pole of funds in the city's general fund balance, if we are truly out of money, it may be that everything's been encumbered but not necessarily executed yet, I think we should resolve this. I don't see why it has to resolve itself for next year or as part of the annual budget proceedings.

The fund balance is available right now by resolution of this Council. If tomorrow we wanted to waive Rule 8 and re-introduced a bill for expenditure dollars for demolition, I suggest we do it. If we are truly out of the million or whatever it is that we finally want to, with Councilman Onorato and others leadership, we up the amount, I think we should resolve this. I don't think we should make this part of next year's 2000 capital budget debate. We should resolve it right now.

I think there is clearly five or six votes on this Council that want to spend more money to get more houses demolished that are on condemnation and we should do it. We should not wait until an annual public debate during the budget proceeding, we don't have to wait to amend next year's budget.

We have the existing \$10 million. If we wanted to take \$100,000.00 from each district and \$100,000.00 from the

Mayor's share, that's one million more that can go to the BBI director to immediately encumber more money. I think we should resolve this thing tomorrow.

I think we should meet between the rest of the day and tomorrow and introduce a bill and get moving on this. We can take some of these houses down in December and January, it's no problem with these demolition companies. I know it's a tougher job than in the summer, but they don't mind doing it then. We should resolve this now.

If that's truly the case and, again, I reiterate what the President said. We heard one thing just a few months ago and now we're hearing something completely different. I'm having a hard time wrestling the numbers in my head. So, if we can get a clearer understanding if it is truly what Councilman Onorato says based on Mr. (Inaudible) writing to him, then we should resolve this tomorrow. We should waive the rules of Council and introduce the bill tomorrow.

Whether we take a million out of the ten or take a million out of the fund balance or whether, like last week all of a sudden a few hundred thousands from your youth account for some unencumbered CD dollars. I don't care where we get it, we should resolve this tomorrow and get the ball rolling. This is ridiculous.

Mr. Onorato:

I can have something drafted to waive the rules tomorrow at least to get it on the table.

Mr. Ferlo:

I think you should do that. I will work with Councilman Onorato to get something on the table tomorrow. I would ask Director (Inaudible) and/or the Administration to be present tomorrow for discussion on demolition.

Mr. Onorato:

We'll have it tomorrow.

Mr. Ricciardi:

Colleagues, I just want to take a moment and highly commend some of our police officers, Commander Barone who works with Chief McNeilly and also Commander Joyce.

Several days ago I received a call from a resident. This particular person had concern about drug dealing in the neighborhood. I asked them for some information. I relayed that information. I finally got back to the particular person. We needed more information. This particular person was able to give me more detailed information regarding how the drugs are purchased, sold, when they occur, descriptions of the vehicles, and descriptions of the individuals. Obviously this person did not want their name, for obvious reasons, mentioned. So, I said your name would never be brought up. I was able to relay that information. Within three days, this particular person was arrested for alleged drug dealing.

The reason I really wanted to bring this up is because it really shows that it is difficult to arrest and make a case against drug dealers. But, when citizens give us, in confidence, the right type of

information, individuals such as Commander Barone and Joyce and the individuals that were in the street, without mentioning their names and making the arrest, that's the way it happens and that's the way it should happen.

A lot of times we do turn in suspects and we wonder what's going on? What's going on? What's going on? It's difficult. But, if individuals are out there and they give us the right information, it can happen.

I think it's tremendous. As you can tell, I'm not mentioning the neighborhood or even the gender or even the race of the individual because I want to make sure we protect our informant in this case.

Something real quick, I need to thank and commend Deputy Mayor Sirabella who's working on the Neighborhood Responsibility Initiative. It's becoming a very difficult task. We have a lot of people calling in and working with him.

But, I just want to show you how it works. It worked again in the South Side of Pittsburgh, October 7th. We had some problem with tenants. It was late at night, I just got on the phone and disturbed the landlord. I said I'm going to keep doing it. Listen to this, he sent out a letter and he gave them a 15 day notice to vacate the premise. I say, I've discussed the noise matter with you several times. I've been receiving complaints from the tenants, from the neighbors, from the Councilman regarding harassment, loud music, throwing garbage out of windows and I'm getting tired of getting wakened up in the

morning. So, he's tired now. He's giving them 15 days to vacate.

I think it works if you wake up the property owner and here it is right here. I'm just very pleased to say it worked. Hopefully that's going to be part of our Landlord Responsibility Initiative, wake up the absentee landowner.

Thank you.

The Chair:

Again, speaking of good police work, we feel we may have the suspects, although we didn't prove it yet, who damaged one of our playgrounds and fields up in New Homestead. Quick police work has them. I don't know if they were convicted yet, but they believe they have the culprits and they don't live in the City of Pittsburgh. They're outsiders, just a couple of blocks away but they're certainly not Pittsburgh residents. I'm glad to see the quick police work resolve that issue.

Mr. Ferlo:

On the subject of Halloween. Whether you're going to celebrate Halloween on Saturday or Sunday I'm not sure. For some reason the city decided it should be on Saturday instead of Sunday. It's obvious there's going to be a lot of kids out in the street. So, starting Sunday, obviously, we should remind motorists and everybody else to please be cognizant of our small kids.

I want to invite all my colleagues to one of the biggest Halloween parades that will be actually this year in Lawrenceville. It's a mile long parade from Dubois, 36th, 37th Street all the way down to the other end of Butler Street at

47th Street. This year we're very proud to have a lot of great high school bands. We have the University of Pittsburgh Marching Band, several hundred members as well we're going to have Zambelli fireworks. It's probably the first ever Halloween fireworks.

I'd like to extend an invitation to you, Mr. President, to be in the parade route with our honorary parade marshals. As well, Councilman Onorato, hopefully our next County Controller, to be there and all my other colleagues.

Our parade in Lawrenceville is a little bit unusual and different because we allow a couple of thousand kids to actually march in the parade, it's different than sitting on the side and watching the parade. So, it's a very active event. It's a little bit different this year. The parade route is a little bit longer. We had to stretch past the Boys and Girls Club.

As you know, following the parade, we have several thousand trick or treat bags. Kids go through the Boys and Girls Club which is decorated as a fright night. So, that parade is Monday night in Lawrenceville on Butler Street at 7:00 p.m.

I'm also saying this now because I want to remind a lot of the folks who travel through Lawrenceville to get to other neighborhoods or out to the suburbs to please avoid Butler Street this coming Monday night. Stay on 28 or come up along Penn Avenue, but do not travel down Butler Street. It's going to be quite a show so don't come in that area if you're just trying to travel through. That parade is Monday night.

As well, Bloomfield, historically, has put on a wonderful parade. Councilman Cohen and I'm sure all of my colleagues are very aware of that. Their parade is Thursday night, the 28th. I'm sure like every other Council District, everyone of my neighborhoods Garfield, Morningside, you name it, every neighborhood seems to be having some kind of Halloween event for the kids.

I just want to say that's one thing that really makes me proud to be a city resident. It's one of those things you can't really calculate in terms of why you like being in the city. But, I think we should thank all the residents that do a great job raising money from boosters, stuffing bags and just going all out to make the neighborhood shine on an event really for the kids.

I just want to thank all the hardworking volunteers that help put on these events year in and year out. It's one of the things that makes the city a much different place than the yucky suburbs.

The Chair:

I most admit I was never at one either at Lawrenceville or Bloomfield until I got elected and had an invitation from you. Until you experience it, it is a wonderful parade, both of them. I know a lot of neighborhoods have them, but they really set the tone for our neighborhoods. If you have never seen it, I encourage anyone in the city or the suburbs to come down. It is really a great parade, festivities for kids. In fact, now that we have Zambelli fireworks, it will almost be as good as the Greenfield Christmas Parade. We actually got the idea from your Lawrenceville parade. I wanted to do the

Halloween instead we did a Christmas parade. I really am fascinated by it. I've had so many people tell me that the first time they see it they just don't realize what they're missing.

So, I would encourage anyone to go out. Also, the media, I hope especially the print would put some more things like that in and let people know that it is coming.

Two quick reminders. Wednesday, tomorrow, we have a public hearing on Zoning and Pioneer Avenue in the 19th Ward, that's at 2:00 p.m. tomorrow. Thursday morning at 10:00 we have a Conditional Use at Winchester Thurston School in the 7th Ward.

Also, I want to announce the operations summit meeting scheduled for October 20th has been canceled.

Do I have a motion to approve the minutes?

MR. FERLO moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. FERLO moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And, on the motion made by Mr. Ferlo, the meeting was adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, October 26, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest, Michael Combes. He's eight years old and he's in the third grade at Minadeo School. His hobbies are video games and hockey. He is accompanied by his aunt, Tracee Wilder who works for Councilman Udin. He

lives in Councilwoman McDonald's District.

Michael Combes:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have a special gift for you, Michael.

Councilman Hertzberg you have some special guests.

Mr. Hertzberg:

Would Rich Bruce and his traveling team for Paint Your Heart Out Pittsburgh please come forward.

I think everyone on Council knows Rich Bruce. He's our Chief of Code Enforcement in the Bureau of Building Inspection. I think we've all probably had some discussions with him, some enforcement issues in the Bureau of Building Inspection. Just like Batman or Superman, he has an alter echo. When he's not working that job, he's kind of like a crime fighter in that he has organized a program known as Paint Your Heart Out Pittsburgh.

What Paint Your Heart Out Pittsburgh is is homes are located in need of being painted where you have the occupants or the owners who can't afford to paint the homes. Rich has organized groups of people to go out and paint those homes. I've had the privilege of painting a couple of those homes. It really makes you feel good to do it and it's now a part of the United Way Day of Caring.

Not only does Rich conduct Paint Your Heart Out for Pittsburgh, but he also has a traveling team. They've traveled to a number of places in Pennsylvania and even outside of Pennsylvania spreading their volunteer efforts and helping people throughout the state and country.

PRESENTATIONS

MR. HERTZBERG PRESENTS:

No. 2192 WHEREAS, in 1985 Rich Bruce initiated the "Paint Your Heart Out" Program in the City of Pittsburgh; and

WHEREAS, since "Paint Your Heart Out's" inception, Rich Bruce has organized needy families whose homes need to be painted, donors of paint and painting supplies and volunteers to paint hundreds of homes in the Pittsburgh area free of charge; and

WHEREAS, in 1988 Rich Bruce took "Paint Your Heart Out" on the road to Tampa, Florida and the City of Tampa has since passed on "Paint Your Heart Out" to the cities of St. Petersburg, and to Clearwater, Florida with great success; and

WHEREAS, Rich Bruce also initiated the "Paint Your Heart Out"

Program North of Pittsburgh in the Cities of Sharon, Farrell, Greenville and Union City, Pennsylvania; and

WHEREAS, since 1985, Rich Bruce has organized thousands of volunteers to paint homes in the City of Pittsburgh and in 1997 "Paint Your Heart Out" became part of the United Way Day of Caring; and

WHEREAS, Rich Bruce organized a "Traveling Team" which includes many members who have painted with him since 1985; and

WHEREAS, the "Paint Your Heart Out Traveling Team" consists of:

Kitty Anderson, John Anselm, Jan Anselm, Kathy Bonner, Reenie Bonner, Donald Bottles, Peg Bruce, Joe Cerchiaro, Mike Cerchiaro, Molly Colville, Jim Dixon, Dave Dugan, Maureen Gallagher, Tika Good, Dottie Ingersoll, Carl Morosetti, Dennis Moulton, Dale Orzalli, Anthony Ovesncey, Jr., Aggie Patchan, Rita Patchan, Betsy Pugh, John Sample, Carlo Schiaretta, and Don Sinicki, From Pittsburgh, Pennsylvania; Darlene Anselm from Wexford, Pennsylvania; Monica Douglas from Elizabeth, Pennsylvania; Bernie Dugan and Cyndy Vucci from Oakdale, Pennsylvania.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends Richard Bruce, his traveling team and the many volunteers who have "Painted Their Hearts" out for over 14 years.

MR. RICCIARDI moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Rich, congratulations. I know Council wants to hear from you.

Mr. Bruce:

I've been up here many times and this is just one of the better times because it shows what the volunteers in the City of Pittsburgh can do for a City and also for places outside the City of Pittsburgh. It shows the caring of the people that go with us to these different cities. It shows how Pittsburgh turns out to go to other cities to help other people that they don't need to go to help.

This project is one of my favorites because I have a good time doing it and everybody that goes with me has a good time doing it.

I want to thank Council for this proclamation today. I want to definitely thank Councilman Hertzberg for putting us here today. Mainly I want to thank the team that goes with me because we're already planning next year's projects; they're already in the works. We're going to Union City in July and we're possibly going back to Sharon, if my wife lets me in September along with their United Way. We'll be doing United Way again.

What I would like to get across to City Council also is we need more people from your communities to come out and be present on these Paint Your Heart Out days. There's been some areas in the City of Pittsburgh we haven't been able to paint because of not enough participation in

those districts. I'm hoping next year that we can work things out with some of the different Councilpeople and with some of the different organizations and groups within those areas to do houses within their area. What happens is a lot of the people that want to paint for us want to paint in their own community, they don't want to go somewhere else to paint. So, that's where we need some help. I'll be talking to you later about that.

I'd also like to thank my three sons that are here today. They've painted with us. They're here from out of town. My one son is from Erie and my other two boys who just came today to be here. I want to thank everybody here and I want to thank everybody that are here present.

Thank you very much.

Mr. Hertzberg:

I also want to mention my team, which is comprised of at least half from my staff. They volunteered to helped out on Paint Your Heart Out Day. I think if other members of Council or other City employees or City administrators want to gather some people from their staff, we could probably help Rich out quite a bit. When it comes to City Council, we can stay within our Council Districts. So, it's a nice way to have a little impact in your Council Districts.

Mr. Bruce:

I also want to thank Councilman Ferlo who helped us last year. I missed him. Finally, he can help pay through the United Way Day of Caring Day. We pay for all our own expenses, funds to be put

together and Councilman Ferlo helped us out. I think his money went to buy pizzas.

The Chair:

Thank you all for the great work you do. Thank you all very much for the Day of Caring, it's really a great day in the City of Pittsburgh.

MS. MCDONALD PRESENTS:

No. 2193 WHEREAS, Pittsburgh seeks to extol the distinguished accomplishments of Commonwealth women - past and present - who have worked with vision and determination to progress the proud tradition of Women in Business and the Professions; and

WHEREAS, these women who endeavored to attain the highest standards of excellence, remind us of the struggles, the obstacles and the omnipresent need to promote positive change throughout our Commonwealth; and

WHEREAS, the women of Pittsburgh successfully started businesses, became professionals, and embraced the challenge of succeeding with incontrovertible skill, intelligence and ability; and

WHEREAS, we applaud the tremendous accomplishments of Pittsburgh's women, let us also dedicate ourselves to the ever vigilant pursuit of justice, fairness and opportunity for all.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Women in Business and the

Professions for the commitment and dedication given to the community.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declares the week of October 17 -23, 1999, as "Business Women's Week" in Pittsburgh, and encourages all citizens to recognize the invaluable contribution made by women in business and the profession.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Will Dolly Campbell please come up, her staff, friends and family?

It's an honor and privilege to read this proclamation for a great woman who served the City of Pittsburgh for 20 years.

MR. O'CONNOR AND ALL COUNCIL MEMBER PRESENT:

No. 2194 WHEREAS, Dolly Campbell has worked for the Mayor's Service Center for almost twenty years; and,

WHEREAS, During those years, Dolly Campbell has been a shining example of public relations for the City of Pittsburgh; and,

WHEREAS, Dolly Campbell has served under three City of Pittsburgh Mayors, devoting the same amount of time and energy to each one; and,

WHEREAS, Dolly Campbell has guided the Mayor's Service Center through numerous upheavals and disasters in the City of Pittsburgh, including the June 1998 tornado, snow removal requests during the blizzard of 1993 - while a majority of the city was shut down - always working alongside her people to try and assist those in need, including cutting thousands of yellow ribbons with her crew for the city's Yellow Ribbon Project during Operation Desert Storm; and,

WHEREAS, as a retired City of Pittsburgh employee, Dolly will enjoy spending more time with her husband, Jim, a retired Pittsburgh Police Officer, and the rest of her family, which includes her children, Cheryl, Jim and Dina and six grandchildren, Lindsay, Justine, Andrew, Craig, Matt and Colin; and,

WHEREAS, Dolly Campbell has reported that she is planning on writing a book of her memoirs regarding her years with the City of Pittsburgh and plans on becoming a frequent 'complainer' at the Mayor's Service Center.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dolly Campbell on her service to the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish Dolly Campbell the best in her retirement and hereby proclaims Tuesday, October 26, 1999 as "Dolly Campbell Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Congratulations.

Ms. Campbell:

I want to thank the members of Council and your staffs who have worked so well with us over the years and, of course, my staff, members who are no longer with me, but are still part of the Administration who didn't come up with us and, of course, my family who have always been with me.

Thank you all.

Mr. Onorato:

Council President, I just want to congratulate Dolly Campbell because anyone that can sit in that job as long as you did and still smile at the end of the day is unbelievable. I want to congratulate you for keeping a good sense of humor about yourself.

If anyone doesn't know what you do that's listening to TV today, she's the first line of defense for all those angry calls that come into this City. You've done a very good job.

Enjoy your retirement.

Mr. Ferlo:

Thank you, Mr. President.

As a point of personal privilege, I have a special proclamation. Unfortunately, my guests aren't here, Channel 11 News Department. I'd like to present this special proclamation to them and I'd like to do it here, Mr. President.

First of all, if anybody watched television last week and watched the Channel 11 News, I think it's also re-aired on the PCNC television. I don't know if Channel 11 is here.

The Chair:

They are here.

Mr. Ferlo:

I hope they'll stay and participate.

Mr. President and members of Council and to my constituencies, last week Channel 11 had a news report on. If you listened to the tag line all day long throughout the news building up to the (inaudible) of the 5:30, 6:00 news, you would have thought a Grant Street official was taped with cameras taking cash for fixing parking tickets and citations or you may have thought that a Grant Street official was planning to assassinate the Clintons or you would have thought that somehow a Grant Street official wanted to put a statute up for himself on Grant Street so he could mirror the track record of Bud Dwyer or Al Benedict. You would have conjured up all kinds of things in your mind about the horrors that were come across the TV screen at the 6:00 news because of a Grant Street official. High ranking Grant Street official, ticket fixing, cash for payoff, God news what the heck they said. I know after the news there I got calls from my house from friends saying,

they're saying you're taking cash for parking tickets and you're fixing citations.

Here's the story and I have a special proclamation, it's called the Golden Screw Award, presented to Channel 11 for inaccurate and sensationalist reporting. I'm presenting this to the newsroom and the reporters at the Golden Screw Award for Channel 11.

First of all, in 1993 I had ongoing parking disputes in part of the Bloomfield community. The residents, if everybody knows Bloomfield -- in fact, I asked the young reporter, where do you live. She got upset because my concern was that she probably lives in the suburbs where everybody has curblines and driveways. That is not the case for a large of my districts including parts of Bloomfield which is a wonderful neighborhood where many neighbors get along and they live right next door to each other. In fact, there houses are connected. Not everybody has a curblines and not everybody has a driveway unlike most of the reporters of Channel 11 who lives out in the suburbs.

So, they write this unbelievable, stupid, inaccurate, and goofy article that was non-sensible. I refused to even give her the time of going on camera because that helps to make the story even goofier than it should be.

So, the big story is about a parking dispute that started as far back AS 1993. What is the parking dispute? The parking dispute is an order for working people who come home from work and want to be able to park at or near their home. They have to put half of their car on their own sidewalk and half in the street. In order for everybody to get along as neighbors,

they park a little bit of their car on the sidewalk and a little bit of their car in the street. This enables the fire trucks to go through, Channel 11, the ones that you're always chasing like ambulances, it allows the fire trucks to go through and emergency vehicles and it allows other neighbors to go through.

The police, who have better things to do with their time than writing citations for traffic violations, basically were encouraged not to write tickets because the neighbors, themselves, wanted the privilege, although it technically is illegal, they wanted to be able to park their cars because they're paying the taxes. The constituents at (inaudible) and Taylor are my boss, not some goofy reporters from Channel 11 and not some goofy news director, all right. Let's get that straight.

Those residents from as far back as 1993. My staff person, who happened to be an attorney at the time, (inaudible), writes a letter back because apparently somebody did get some tickets and the Public Safety Department was nice enough to void those tickets. No big scandal, no big deal. I don't deserve to go to jail for 10 years. I don't deserve to have my character and reputation impugned on Channel 11 news.

In fact, I did a similar thing. Do you know when I did a similar thing? When tickets were written for a funeral at St. Joseph's, they were voided. All of this Council asked tickets to be voided at St. Mary's Christmas Eve Mass where the police went and wrote tags. It's like wake up Channel 11, it's no big deal, all right. No scandal was committed.

For Channel 11 to run this goofy story all day long to intimidate and, basically, intubate that somehow a top Grant Street official is caught with ticket fixing or writing citations. The news line said up taking care of my friends at Taylor and (inaudible). I don't even know the residents personally.

As far as treatment, the residents, themselves, asked permission to park on their own sidewalk and not be tagged. Now, I have another resident on the corner, 40 yards from this great crime that was committed, who didn't want cars on the sidewalk. In fact, I asked the City to put up a flex beam. There's a flex beam there because he did not want cars coming around the corner to go on. Another resident who's 60 yards away wanted consideration from the Zoning Board to put a parking pad. So, I attended the Zoning Board hearing to ask the Zoning Board to allow the gentleman, since he had the room, to put a parking pad.

The point is everyone on this Council has done these kinds of things to try to accommodate and resolve neighborhood disputes. So, Channel 11, there's no big scandal, go on to some other great crime.

Let me pick another example, Channel 11 is going to run the story tonight about a big crime on Bryant in Highland Park, Walnut Street Market was robbed in the middle of the night, the second time. It's a terrible situation, no doubt.

Now, they're going to go out there and they're going to make a big scandal that Highland Park is unsafe. Highland Park is not an unsafe community, it's a

very safe community. We have problems. I don't know when the time was that Channel 11 went after Fox Chapel or Ross Park Mall or Monroeville Mall and talked about a car being stolen in which there are hundreds, hundreds of cars are stolen out in the suburbs. I've never seen a crime committed at Fox Chapel or Mt. Lebanon or Dormont. Why doesn't Channel 11 do that in terms of fairness?

Channel 11 is a useless news media outlet, they run ridiculous stories and sensationalize, they're never even handed nor or they balanced. We had 5,000 people last night on the streets of Lawrenceville, no crime was being committed, it was a Halloween Parade. Was Channel 11 there? No. But, they're going to go interview and make the city seem unsafe and attack Mayor Murphy and attack Council. They're going to attack Chief McNeilly because they're going to say somebody got robbed and now they're going to sensationalize the story. Channel 11 sucks, period. Here's their proclamation.

Thank you, Mr. President.

Other than that, I have no strong feelings about the matter.

The Chair:

How about tell us what you really feel about that Channel 11 reporter.

While you mentioned your parade yesterday. It was a great parade in Lawrenceville and I hope all stations covered it.

Mr. Ferlo:

Certainly not Channel 11 because no crime was committed.

The Chair:

At this time we will have anybody wishing to address Council for three minutes. Please come to the podium and give your name and address for the record.

PUBLIC COMMENTS

Ms. Kelly:

Hi, my name is Gigi Kelly. I live at 2904 Amy Drive.

You've seen me here three times before for Baskets for Babies. I'm here once again to clarify some of the concerns that some of the Councilmembers had last week. They see this as just a basket program. I wanted to let Valerie McDonald and Mr. Ferlo know that this is also a program that we hope to take to the schools to prevent children from getting to the point of looking for basket.

I've been in touch with Commander Glen Elliott who has reminded me that three years ago, actually in Valerie McDonald's district, there was a baby found in a basket under a porch, that did live. So, this does work. I've also been in touch with the County Commissioners in Dawson County, Sally Kline. After hearing about what we're trying to do here in Pittsburgh, they instituted a county run program. They now have baskets at six county locations and it's county funded. One of those locations includes their County Court House. Two, like our District Attorney, theirs has spoken up and said that if you ever see anyone dropping a baby into a

basket, do not confront her and do not question her.

So, this is an issue that people do hold with some relevance. They don't think this is silly or too simple to work. I ask you again for your support. Local Union One is very supportive. We can outline the specifics. Once we have the commitment to the program, we can go anywhere from here. We can go out into the high schools and to the doctors. We have the support of the district attorney and we get the support of the government. We can do good things with this program.

Once again, I appreciate your time.

Ms. Urquhart:

Good morning, Council. My name is Dorothy Urquhart.

It's good to have something to laugh at and joke about. But, it would be nice if Channel 11 would take as much consideration of my problem and have some investigation going on with my problem and my house. It would be good to have investigative reporters at my home, Channel 11, there's a story there.

I am a victim, not the villain. In 1990, I bought a house at 5811 Penn Circle North under a program the Urban Redevelopment Authority was advertising to buy and renovate program. I found the house that I wanted to buy and renovate. The real estate people brought in Pittsburgh National Bank, which I borrowed \$25,000.00 to buy my house. The Pittsburgh National Bank agent that filled out my applications put me into the wrong program which made me to have

two house closing that were very expensive.

The URA and the Pittsburgh National Bank both knew of their error before the beginning and should have corrected it all before the first closing. Before I could get the second closing, the URA had me do things that should have been in the renovation of the house.

Number one, I was told to paint my porch floor. They said it had led paint on it and I had to have it painted over. I had to get the asbestos taken out from the furnace. These were costly items that I was made to do before I could get the loan to renovate even though they knew that I was renovating the whole house. All of these items were in my specifications to be did before the beginning. Before I could get the second loan, I had to do these items.

I borrowed \$55,000.00 for renovation plus \$14,000.00 more for the renovations. I come to the City Council because I am tired of paying for renovations that were never did. My money was handled by the Urban Redevelopment. I have been robbed and taken advantage of. There is no one to turn to for help to make the URA be accountable for the homeowner's money and renovations that they advertised about. They were paid a contingency fee to oversee the money and the construction.

Because the people in charge know that I am a poor woman that do not have the funds for an attorney, they feel comfortable in whatever they do because I do not have the funds for an attorney. There is no one overlooking what they are doing.

I will be back tomorrow because it's a sad case, it's bad what's going on.

Mr. Dorsey:

Good morning honorable Council. My name is Donald Dorsey. Today I represent Pittsburgh Firefighters Local Number One and the North Side Public Safety Council. For those of you who know me, I will be mercifully brief.

There are many kinds of courage. For some, there are no metals. Gigi Kelly, during her struggle, has displayed a quiet, middle of the night courage that is uncommon. Pittsburgh Firefighters not only recognize this courage and applaud her efforts, but want to join her in the struggle to save one child.

Many times people ask my firefighters, why do you go into a house that is on fire when everybody else is running out of it? Why risk your life, limb, happiness and well being, why risk your family's well being? The answer is only one, one reason, one life. Somewhere everyday we do it.

As we speak here today, my courageous firefighters are doing it. So, then, there is only one reason for baskets for babies. It's very, very simple. An old chief told me once, there are a thousand reasons and a thousand excuses not to do something, you only need one good reason, you need one child saved.

Thank you very much.

The Chair:

Any other speakers?

We will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. HERTZBERG PRESENTED:

No. 2195 Resolution creating a Task Force to Study Regulating the Towing of Vehicles from Private Parking Lots. —(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Public Safety Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

No. 2196 Resolution granting unto John Steiner, 171 S. 22nd Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a patio and garden area in the rear of 171 S. 22nd Street on Edwards Way between 22nd and 23rd Streets in the 17th Ward, 3rd Council District of the City of Pittsburgh.

No. 2197 Resolution granting unto First Lutheran Church, 615 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a guard rail on a portion of the right-of-way of Garland Way in the

2nd Ward, 6th Council District of the City of Pittsburgh.

No. 2198 Resolution granting unto Walnut Capital Partners, Shadyside, L.P., 5541 Walnut Street, Pittsburgh, Pennsylvania 15232, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, trees, lights, canopies and banners on a portion of the right-of-ways of 5541 Walnut Street and Ivy Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

No. 2199 Resolution vacating a portion of Strauss Street from Irwin Avenue eastwardly 274.59' in the 26th Ward, 1st Council District of the City of Pittsburgh; subject and conditioned upon execution and delivery by Charles Street Area Council to the City of Pittsburgh of a deed of easement granting to the City of Pittsburgh an easement for right-of-way purposes over the vacated area.

No. 2200 Resolution vacating a portion of Beckett Way (Highland Avenue Mall Street) in the 11th Ward, 9th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works and Environmental Services.

MR. ONORATO PRESENTED:

No. 2201 Resolution authorizing the City of Pittsburgh to submit three grant applications to, and execute relevant agreements with, the Pennsylvania Department of Conservation and Natural Resources Keystone Recreation, Park and Conservation Fund Program. And authorizing the Urban Redevelopment Authority to submit a grant application to the Pennsylvania Department of

Conservation and Natural Resources Keystone Recreation, Park and Conservation Fund Program.

Which was read and referred to the Committee on Planning, Zoning & and Use.

MR. RICCIARDI PRESENTED:

No. 2202 Resolution providing for the transfer of \$10,000.00 from Salaries, Regular Employees, account 511000, fund 1000, subclass 010, organization 510000, budget year 1999, to Supplies, account 533400, fund 1000, subclass 100, organization 500000, budget year 1999, all in the Department of Parks and Recreation.

No. 2203 Resolution authorizing and directing the Office of the Mayor, Director of City Information Systems, Director of the Department of General Services, Director of the Department of Parks & Recreation, Director of the Department of Public Safety and the Chief of the Bureau of Police to coordinate, promote, purchase and implement an Are You O.K.? Program in the City of Pittsburgh. —(SPONSORED BY MR. RICCIARDI)

Which were read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 2204 Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corporation in payment for professional services for the Pittsburgh Code, at a cost not to exceed \$2,523.50, chargeable to and payable from Account 525500, Sub-Class 150

Miscellaneous Services, Fund 1000
Organization 101200, Budget Year 1999
Office of City Clerk. ---(**SPONSORED
BY MR. UDIN**)

No. 2205 Resolution **REPEALING**
items in Resolutions, approved on various
dates, authorizing the sale of properties in
various wards of the City of Pittsburgh, in
accordance with Act No. 171 of 1984.

No. 2206 Resolution **AMENDING**
Resolution No. 509, Item B, effective
August 12, 1999 which authorized the sale
of four vacant lots, located at 7597-7595-
7593 and 7589 Kelly Street, 13th Ward,
Block 174-R, Lots 84-85-86 & Block 174
P, Lot 315, to Holy Cross Neighborhood
Development, Inc., for the sum of
\$2,500.00.

No. 2207 Resolution **PROVIDING**
for the filing of a petition or petitions for
the sale of certain property or properties,
acquired at tax sales, in accordance with
Act No.171 of 1984, "Second Class City
Treasurer Sale and Collection Act",
effective December 11, 1984.

Which were severally read and referred to
the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2208 An Ordinance amending
the Pittsburgh Code at Title Four - Public
Places and Property, Article XI, Parks and
Playgrounds, Chapter 473, Use
Regulations, Section 473.05, Behavior, in
order to create an exception that would
permit owners to have a dog off-leash in
specific designated areas of city parks
and/or greenways and to empower the
Director of Parks & Recreation to ban any
dogs or other pets from any OLEA or any

park per se. ---(**SPONSORED BY MR.
O'CONNOR**)

No. 2209 An Ordinance amending
the Pittsburgh Code at Title Six - Conduct,
Article III, Dogs, Cats and Other Animals,
Chapter 633, Section 633.06 License Fee;
Exceptions, by increasing dog license fees
by Two Dollars (\$2.00) Effective for year
2000 Licenses.

No. 2210 An Ordinance
amending the Pittsburgh Code at Title Six
- Conduct, Article III, Dogs, Cats and
other Animals, Chapter 633, Section
633.08 Dogs at Large Prohibited, in order
to create an exception that would permit
owners to have a dog off-leash in
specifically designated areas of city parks
and/or greenways. ---(**SPONSORED BY
MR. O'CONNOR**)

No. 2211 An Ordinance
supplementing the Pittsburgh Code at Title
Six - Conduct, Article III, Dogs, Cats and
Other Animals, Chapter 633, by adding
Section 633.21 to create Off Leash
Exercise Areas wherein persons are
permitted to have a dog off-leash in
specifically designated areas of city parks
and/or greenways. ---(**SPONSORED BY
MR. O'CONNOR**)

Which were severally read and referred to
the Committee on Parks, Recreation &
Youth Policy.

The Chair:

We will move to Unfinished
Business.

We have a veto bill, 1759. Motion
to override from the Mayor.

UNFINISHED BUSINESS

Bill No. 2212:

A communication from Mayor Tom Murphy submitted a veto of Council Bill No. 1759, entitled, "An ordinance amending and supplementing the Pgh. Code, Title Two, Fiscal Article I, Administration, Chapter 201, City Treasurer, Section 201.11, Tax Increment Financing Registration, by adding new sections regarding commitment to employ city residents at facilities which are supplied by Tax Increment Financing."

Which was read.

Ms. McDonald:

Thank you, President O'Connor.

I put before you a chronology. A draft of all the bills as we have reviewed it --

The Chair:

Excuse me, do you want to make a motion to override?

MS. MCDONALD moved to override the veto.

MR. HERTZBERG seconded the motion.

Ms. McDonald:

The first legislative piece was jointly sponsored by myself and Councilman O'Connor, we co-sponsored all of these pieces of legislation. But, this was the original.

If you will note, and this is the genesis of where we are right now, Section 2 says, any tenant of a TIF finance facility shall be required to employ at least 25 percent of all new hires... That's a requirement, that's a mandate. It deals only with new hires, it doesn't talk about a plan or anything.

I had discussed this with the Department of Personnel to look at what they had been doing thus far in terms of promoting and facilitating city residents to be gainfully employed through the JPTA program or SPOC, there are many programs out there. In that process of deliberation, we had come up with, instead of just being very simplistic and talking about 25 percent of all new hires, we looked at an overall plan so that they would be able to work with the business to be able to get to that point. So that they cannot just do it alone, you can't hit them on the head and say do it. Maybe they don't have the tools and the resources to be able to just do it.

Consequently, you'll see the next page is an amendment. The amendments that I had sponsored in July before we went on recess to discuss 1759. It amended it to say in Section 2, instead of saying 25 percent of all new hires shall be City residents, it says that the TIF finance facility shall be required to submit a plan of action for employment to attain workforce that, we increased it from 25 percent to 35 percent. Thirty-five percent is to reflect the composition of City residents as part of the overall county. About one-third of the county is the city. It gives a five year period. This plan shall include a goal to employ, at least, 35 percent of all new hires full and part-time.

So, it included a plan to get to there, a five year plan, and it talked about a goal, not a mandate, a goal, to employ at least 35 percent of all new hires.

It also, in Section 3, required all tenants to commit to a goal to employ 35 percent of all new hires. No, the amendments that were suggested in July that I've made, were not mandates, were not requirements. They were simply efforts for the City to work with these businesses to get to that point. It was in the vain of affirmative action for residents.

But there were amendments that were presented by Councilman Udin at the same time and that's the next document that you have. In Section 2, there was a motion to amend. This changed Section 2 from a plan of action and a goal to a mandate, shall be required to attain and maintain a workforce that is 35 percent residents. Instead of a goal, it's an agreement to employment. In Section 3, for the tenant, it's a requirement to employ at least 35 percent.

In the discussion that we had here, it was evident that this Council Body wanted stronger language. We wanted something with a little more fire to it and not just simply a goal or a good faith effort. We wanted something more. To be able to include what the will of the Body wanted at that time, I made a motion to recommit so that we could revisit it in September, which we did.

The next document was the revisit. In there, in working with the Solicitor's Office and the Department of Personnel, we included definitions which hadn't been in the original document. But, if you look on the second page, in item "C", it says the

TIF recipient shall be required to submit or provide in all leases which majority of tenants, a requirement that they submit a plan. We're back to submitting a plan of action within a five-year period. As you also look, if you require somebody to hire 35 percent of all new hires, that's a quota. That's a quota and that's a mandate and, therefore, was eliminated in this draft. We're back to working with them to get 35 percent over a period of time. That's basically the last change there.

Lastly, through Councilman Hertzberg in Section 1, we changed the 25 percent building, I don't know that mess. It was very simple that if you use a million dollars of our money, you're part of this whole legislative proposal.

Through Councilman Udin, and you have a copy of the amendments that were discussed at that time, good faith efforts, it excluded a minimum of two of the following items; we wanted all three.

The key is in Section 7, which was new. Residency requirement, is this what this veto is all about? We included a residency requirement. But, the definition reads as such, I wish everyone had have read the definition, it shall be that all majority tenants and TIF recipients will seek and commit to employ city residents at TIF finance facilities in an amount equal to 35 percent or more of employees, subject to applicable law and as provided herein. Again, it says seek and commit to employee. That is not a mandate. That is not a mandate. We had already looked at the amendments that were mandates. This is still not a mandate. It is a measure of strong affirmative action to work with these businesses to ensure that there were more city employees on their workforce.

Now, getting to this veto. I applaud the Mayor for the language. I agree wholeheartedly with him. I always have agreed with this memorandum from the very beginning, from July. I argued the point adamantly. So, I don't agree with the veto, but I agree with the spirit.

What I disagree with is our reaction to Senator Tim Murphy's letter. You all have that in front of you. I just saw this this morning. I will not be a part of this Council Body reacting to a state legislator with their opinion and haven't heard from any other legislators or nobody else. I'm not sure if anyone's heard from anybody else, I certainly haven't. But, I typically do not respond to one individual, I typically do not. I would have preferred for any legislator to have interceded with their opinion prior to a final vote or prior to the Mayor signing it or not.

We have a process here, we're on cable all the time. You're telling me that now, all of a sudden, someone gets a heads up what's going on. I would have been more than happy to have faxed the legislation with comments, the Solicitor could have faxed comments as to is this a mandate or not.

But, the letter is setting job requirements, which is false. Then to say it's exasperated by the ballot question of construction and building jobs. The two are not to be co-mingled; one deals with construction and one deals with post-construction. They both must be dealt with differently. They're different types of jobs and different types of dynamics that figure in.

But, to go on to say, by restricting employment opportunities. Who's restricting? This creates an unfair atmosphere by taking taxpayer money while prohibiting some of the same taxpayers from competing for a job on an equal footing.

I just side barred with Councilman Hertzberg because he sits on the board of the URA. At the same time, we were thinking, what does the county put into our TIF's; what is the average percent that the county taxpayer puts in; what is it? Remember, the city residents pay county taxes, too, hello. We all pay county taxes plus the city taxes.

So, we get a double whammy. We pay School Board taxes, we pay city taxes and we pay county taxes. We're hit on all three fronts. All this legislation does is ask for the entity that is utilizing the overwhelming majority of our money to finance their facility to, at least, work with the Department of Personnel, to mandate that they must work with the Department of Personnel, to find a way to get to a goal over five years of 35 percent; not 50 percent and not 75 percent. There's no restriction on employment. Work in the city will be severely restricted.

Then to have, the next to the last paragraph, the level of minority representation. I'm curious if this is what this is all about. This has nothing to do with minorities or females. This has to do with city residents, period, city residents. I don't care if you're black, white, I don't care what religion you are, I don't care what age you are and I don't care what gender you. This deals with city residents who desperately also need these jobs.

You're using the overwhelming majority of city dollars. I think it is not too much to ask that you show good faith efforts of commitment to employ at least 35 percent city residents and a mandate to have a plan submitted so that we can work with you to attain this goal.

Then to have legislation where there are so many outs. If you can't get to it, you just have to show good faith efforts. We just want you to go the extra mile. That's all this legislation is about.

I'm just shocked that the Mayor would not have reviewed that with the Solicitor in a more detailed fashion to really respond to our other legislators which is what he is required to do. To say, hey look, this is not a mandate, this is good faith efforts. This is a strong plan. We are required by law to represent the people that we serve too and it happens to come from this Council Body.

I'm pleased that all of Council voted for this. I want to thank you for that. This is not an isolationist bill and I look forward to hearing from others. But, I would hope and pray that all Councilmembers would understand what this bill is all about and send a message that you can allay your fears but, at the same time, understand we're tired of putting out all our money, all our money, and all we get is \$10.00 a year if you don't live in the city for all services and all the amenities that this city requires.

Mr. Ferlo:

Thank you Mr. President.

I was not here for the final vote on this bill I was out of town, but I will vote to override the Mayor's veto.

I would like to say a number of things and I'll try to be brief. I hope we can have some prudent discourse here in regards to this veto debate because I think the Mayor does raise some reasonable issues in terms of his opposition and his veto. I am concerned likewise with Senator Tim Murphy's letter. I think we need to at least address it in a reasonable way.

Just in terms of procedure though and I've criticized the Administration in the past and, unfortunately, I guess I have to criticize them again also. Whether it's the legislation on dog licensing or your proposal on Engineering and Construction traffic signs and the like, whether it's the veto bill that we had before us on the Tax Increment Financing and post employment obligations, the Administration needs to come to the table once in a while in a Wednesday session and express themselves. This is true for the Administration, at least, in my mind not having a clear policy directive on even the so-called jobs bill that is offered by Councilman Udin and is now going to be a ballot question.

There are critical times when bills or ordinances come up and they don't always come and are proposed by the Administration. They come from Council or individual Councilmembers or even from the community. But, the Administration does not get grouped together and decide what their common strategy is. It's almost like something happens and one director has a view this way and another director has a different

opinion, the Solicitor comes in and, fortunately, to her credit, she looks at it from mostly a legal basis issue and kind of risk management view in terms of protecting the city's aspects and I respect her for that. But, at some point, the Mayor also needs to set the tone for what the official policy is, at least, in terms of what his position is.

Even in terms of this debate on Baskets for Babies. We've had conflicting comments at the table. It would make it a lot easier if, during the time in which we're having all this public debate -- and a lot of times these bills, this bill I think was held and rewritten and amended several cases. There was a several month review process that we went through when we were discussing Councilwoman McDonald's and Mr. President, I think you were co-sponsor of this bill.

So we went through several interactive debates on this whole issue. I wish the Administration would use that as an opportunity to come over here and engage in the ideas. We welcome the debate, the welcome having the dialogue, we're not saying we're always right and we're not saying they're always right or they're always wrong. But, if they would just come once in a while with their own agenda and come to the table and defend their position.

The same could go for the future debate on Forbes/Fifth. The Administration has had strong feelings and I respect them on that. I have some concerns about the preservation of the buildings and about small businesses being involved in the equitable activity of the project. I'm sure Councilman Udin and

everyone of us is going to have issues, it's his district.

It would be helpful if prior to the time when we consummate a vote, that they would come over here and whether they agree or disagree, take the table and debate us and entertain us with some discussion. It's part of the legislative arena. I know it's something maybe that the Mayor himself does not need to be here each and every time battling with us or exchanging ideas and discussion, but he has a number of individual representatives.

So, just on a procedure, because it's come up in the past, it's here now for debate and it's going to come up in the future, the Administration has to get their act together, come over here more frequently and be specific at the table about what the agenda is. The Department directors I don't think are always given "marching orders" and don't necessarily know what the official dictate is. I just think it's not a good way for us to engage.

On the issue itself, some of the nuance from Senator Tim Murphy, I actually agree with. It's one of the reasons why I did not support, despite an uneasy vote, I did not support the jobs bill. I think, disproportionately, the perception of the jobs bill in terms of construction trades and so-called Plan B activity, disproportionately, on short jobs and disproportionately the money for all that major activity falls from the state legislature, falls from state bond issues, it comes from the county, it comes from the state IDA grants and very little city tax dollars directly are involved. Yes, there are dollars involved but, disproportionately, it is a regional funding package to the credit of the

Administration, to the governor, to the legislature and everybody else, RAD funding. I did not believe that we should impose the jobs bill that's why I opposed it. It's going to pass, I think, on Tuesday. Because if anybody looks up in the voting booth and see the wording of the question, they're going to vote for it. They're not going to know all the debate and all the nuances of the discussion and they're going to vote for it.

That's another example, the Administration not once did they come to the table and clearly state, at least in my mind, their position on the jobs bills. I think they should have gotten a declaratory judgment to challenge the wording of the question on the ballot because I think it's blatantly illegal. So, now we're going to get stuck with this bill. We're going to get everybody up in arms supporting it because it looks like a great thing and they're not going to understand the debate. The same thing on this TIF legislation.

I agree with Senator Murphy. But, I agree with him to the extent that he's talking about Plan B. I do not agree with him when he talks about the Tax Increment Financing because the reverse is true. I think disproportionately the TIF is city residents giving up and foregoing future tax revenues in exchange for something very reasonable. That is, hey, let's benefit from some post employment.

We, in the urban hub, represent disproportionately the largest group of workers who either are lower paid or disadvantaged or under employed or under worked. I don't think it's unreasonable for us to say then, exchange for vital tax dollars that we are foregoing, we want to change the economic climate of city

residents. We don't agree generally with the kind of trickle down republican philosophy that if everybody is doing better at the top, it's eventually going to trickle down to the bottom. That's Roddy's philosophy and that's why I'm working so hard against him and I hope Dr. Wecht wins the election next week. But, the same holds true for this philosophy. So, I don't agree with the good Senator Murphy or even Mayor Murphy in this respect.

I think Valerie raises a good point. One of the reasons why I did support this bill is that when we have employment and it's a resident, we get an occupation tax and we get income from it to sustain the City. I've been in office for 12 years and have not raised taxes.

Now, at some point, where are we going. We have a \$20 systemic budget deficit. Why doesn't the legislature give us the right to raise the occupation tax to \$50.00 or \$60.00 so that the several hundred thousand workers who earn their income and livelihood because of employment in the City but live out in the suburbs, which is great I don't criticize them for that, but at some point -- we've been very prudent on the budget, we've gone out of our way, we have a hard parking tax as a result of it, and we're not able to lower the business privilege tax as a result of it. I would ask the Senator Murphy that if he would give us some help and give us some dollars back to the urban core, we would not be so parochial on this issue of employment.

But, that's how I feel and I think it's a reasonable approach and I would ask that my colleagues please override the veto.

Mr. Cohen:

Thank you, Mr. President.

The idea that if you give city taxpayer's money to a corporation, through a TIF or through some other means, but, nevertheless, it's city taxpayer money that we're giving to a corporation, therefore that corporation should hire some reasonable percentage of city residents. That argument has some initial appeal. It has some initial appeal to me as well. I resist that argument and I'm opposed to it precisely for the reason that the Mayor stated. That we can't have a mandate for a certain percentage because that's against regionalism and that might have the potential of pitting us against suburban neighborhoods. That is not what this bill does.

I think Councilwoman McDonald walked through step by step as to how she tried with excruciating pain to get to a bill that is not a mandate, it is a goal. I don't know frankly whether the Administration has read this bill. But, I have read this bill and I've asked a lot of questions about it at our Wednesday sessions about it. It is quite clear that the final bill that City Council passed is not a quota and it is not a mandate.

What it says is that the TIF recipient should submit a plan to the City. A plan for achieving a workforce that's comprised of 35 percent. That TIF recipient, that company that get city taxpayers dollars, they can get a good faith exception. The term good faith, everybody knows, means it's not a mandate, it's not a quota. You can get a good faith exception so long as the office of Business and

Employment Opportunity has determined that good faith efforts have been made.

What are good faith efforts? One, that you solicit city residents through advertising. That doesn't strike me as too burdensome. Number two, that you recruit participants through the City's JPTA program. That does not strike me as too burdensome. In fact, I would hope that our JPTA is used by many of the businesses. Three, that you advertise and promote URA home programs to encourage home ownership. That does not strike me as being too burdensome.

So, this legislation, which I read closely because I was on the fence of this legislation before we voted on it, quite clearly is not a mandate, it is not a quota. It says if you receive over a million dollars in taxpayer money through a Tax Increment Financing that you should at least submit a plan to have a goal of 35 percent of your workplace being city residents. You can get an exception to that goal as long as you've made good faith efforts.

I question whether the Administration has read this bill closely. Secondly, I have to agree with Councilman Ferlo on this point. The Administration never came to this table to say that they were opposed to this bill, that I can recall. If somebody can recall otherwise, please correct me. I asked numerous questions of the Solicitor and the Director about this bill, never did they say they were opposed to it. In fact, I had every reason to believe that they were in favor of it and worked with Councilwoman McDonald on the penalty section of this just so that we could make this bill veto proofed.

Since we passed this legislation, I have not gotten a single call from the Mayor, from the Deputy Mayor or from anybody in the Administration saying that we are going to veto this bill and this is reason for doing so. It's just like a missive from across the hall saying that we veto this bill and we're going to call it a mandate even though it's not a mandate.

I don't know what the Mayor is up to with this. But, he needs to communicate more with City Council. There's no sense of working together with this Administration on legislation in front of City Council. I agree with the Mayor that much of legislation that comes out of City Council I don't support and I think, frankly, is not on target. But, a lot of legislation is. This Administration needs to work with this Council. Not just to send a piece of paper across the hall saying we veto this bill for reasons that are not in the bill.

For that reason, I'm voting to override.

Mr. Udin:

Thank you, Mr. President.

Colleagues, welcome to the dress rehearsal of a play called the Shoot Above the Bawl. That's what this is.

This bill is a warning to everyone who will support the Pittsburgh Works Jobs Bill that the Administration and others will continue their opposition to the Pittsburgh Works bill even after it passes in referendum on November 2nd. That's what this bill is saying. The Administration, I believe, and perhaps even others on Council, will continue to

find ways even after the referendum to describe the referendum as illegal, unworkable, unimplimentable, and will find a way to defy the will of the voters who are demanding jobs in exchange for support of these projects being supported by tax dollars.

So, first I hope that we will all give them something to fight by voting yes on the Pittsburgh Works referendum on November 2nd. When that happens, mark my word, there will be those who oppose Pittsburgh Works in the beginning and who will come back after then and try to oppose the effort when we are required to put it in legislative form and pass it according to the will of the voters.

They will attempt to describe, as they've tried to describe this legislation, as illegal despite the fact that lawyers from every level, the private and the public sector, have come before Council and have told Council and the public that the revenue coming from tax funds or from TIF's or from bonds or from the RAD or from state revenue sharing or from federal revenue sharing, it's all diverse revenue that the City receives and has the right to put conditions on the use of that revenue especially as it relates to issues that will enhance job development in exchange for the sharing of those funds. That has been tested in court and will stand up to all of the challenges that anyone will try to undermine this bill with.

With regard to this particular legislation, the veto message refers to a fear of municipal retaliation, which is also an argument that was attempted to try to undermine the Pittsburgh Works bill. Suppose other municipalities adopt similar kinds of legislation. Mr. President, I

would hope that municipalities would adopt similar kinds of legislation because if they did, it means that they would adopt legislation that said 35 percent of their construction jobs would go to the residents of Monroeville and 65 percent would go to other communities. Perhaps, then, some residents from the City could get some jobs in those surrounding communities which is not the case now. I would hope there is some domino effect in surrounding communities that would cause them to allow the doors to open so that Pittsburgh residents can get jobs in those surrounding communities.

We have legislative mandates, the Pittsburgh City Code is full of mandates. That's the way the world is run. There are federal mandates, there are state mandates, there are county mandates, there are city mandates, we mandate garbage collection, we mandate tax payments, we mandate zoning requirements, and we mandate public works permits. Mandating is a part of the way we conduct business. But, when it comes to something that someone does not want to do, then they hide behind the disguise of let's not require legislative mandates.

Well, where is the voluntary employment of city residents on the part of these companies that are lining up for the TIF's, where is it? It's not happening. If it were happening, it would make this legislation unnecessary. But, it is not happening. In order for us to assure that our taxpayers, our constituents get employment in exchange for their tax money being used in these development projects, legislative mandates is what is required to get it done.

The Mayor refers to hurdles. How can you call a \$5 million dollar TIF a hurdle? I wish somebody would put a big \$5 million dollar hurdle in my way. That's not a hurdle, that's the cost of doing business. They know that they will be receiving money from the city. What is the problem with providing the residents who provided that tax money with jobs?

Finally, I think it really unfortunate that Mr. Murphy's, that is Senator Tim Murphy, uses -- the letter attempts to use code words in order to, I think, appeal to our darkest sides. There's nothing in Councilwoman McDonald's bill that makes reference to minority set asides. But, in attaching such a reference to the bill by the Senator's letter, it sends a certain message, which he hopes will negatively turn off people who will characterize this as a minority bill. The same thing was attempted with the Pittsburgh Works bill to describe it as a minority bill and appeal to the biases, the most based biases, he hopes, within the taxpayer constituency.

The same is true with the Mayor's letter in using the code word, quota. In all of the affirmative action debates that have gone on over the last 10 to 15 years, the word quota has been a code word used by opponents of affirmative action to try to instill opposition even when the legislation that's being presented is not a quota bill. This is not a quota bill and it is not a minority bill. It is a bill that will provide jobs in exchange for money. They come to us for money, we come to them for jobs. We think it's a fair exchange and I will be voting to override the Mayor's veto.

Mr. Onorato:

I don't think there's anyone on Council that doesn't want to see more Pittsburghers work and try to figure out a way how to do that. I committed no at the Committee Session and I voted no on the final vote of the bill. I will continue to that position today so I will not be voting to override the Mayor's veto.

However, I do want to point out a few things. The reason I voted no, not just on this particular bill because it's not targeted to this bill, it's about the discussion that we had with Councilman Udin's bill, Valerie's bill, I think Councilman O'Connor had a bill or he's part of a bill. My belief is that it is the wrong message to send.

I do want to point out that I agree with Councilwoman McDonald, her bill is not a mandate and the veto letter is inaccurate. It's not a mandate, it's not a quota. The reason I voted no is not because of that. I voted no because I believe at a time when this region is trying to compete globally and as a region, it's a strong message and it does pit municipality against municipality.

While Senator Murphy's arrived, regardless of the content of it right now, it is an example of what I'm fearful of what's going to start happening among the different elected officials in this region. I had the opportunity to talk with a few elected officials out of the city of Duquesne after this bill passed and they had a lively debate at their City Council meeting over the exact same issue about why does the city put this type of bill forward. Now, I don't think they understood, at that particular time, the details of the bill. They probably were thinking it was more of a mandate. The

point is the image, it's the perception that's being sent out of this Council with this type of bill. That's why I will be continuing to vote no.

Now, stating that, I do want to comment on a few other things. While I'm voting no, and it appears that I agree with the position of the Mayor on this because he's vetoing the bill, I totally disagree with the way the Administration handled it. You don't veto a bill without talking with any of us here. You don't have a 7-1-1 vote and then send over a veto and not talk to anyone. It would be much better if I could send a recommendation to the Administration that when we're in a Committee Session debating a bill to send over an official from the Administration to at least send a signal to some colleagues that possibly you're going to oppose this bill regardless of it's a mandate, regardless if it's just goals. So that if you are going to veto a bill, you give Councilmembers an opportunity to hear why you appreciate a negative recommendation on this bill. But, after we go through hours of discussion, hours of debate and people put their vote on the line, to simply send a letter saying I'm vetoing this. I don't know, I guess the Administration or the Mayor feels that if we see a letter from him we should automatically change our vote. It doesn't work that way. It's called a little bit of respect on both sides of the hall here.

Councilmembers take these issues seriously regardless of how they voted. We spent a lot of time at that table on Wednesday debating this issue. When there's no comment from the Administration except a veto after all that happens, I don't blame any one of my

colleagues for not changing their votes today even though I'm against this bill and I wish it would fail today. But, I could see why you're not changing your position. As a procedural move, this was a disaster.

I wish the Administration would have been at the table because, obviously, I agree with their position on this bill, to help me make the argument of why we should vote no on this bill. But, I think the time is to late. This is not how you operate with vetoes. There should be signals sent out early and often examining that, hey, I'm going to veto this no matter what it says. I wish the veto letter would have said, I recognize these are not mandates and that even though these are goals, it's the wrong image. That's the position I take. If that's what the Mayor is trying to say, just say it. Say it in the letter and explain why you don't want this to happen.

I still think it's important that types of bills do not get passed on Council because I honestly believe, in the long run, this will do nothing to impact the number of Pittsburghers working, good or bad. I don't think this bill will help at all. It probably won't hurt either, but I don't think it will do anything on the employment side.

The reason I think it's a bad message is because over the last four or five years, the City has been the recipient of some good moves regionalization. Meaning, the big debate over the RAD, and we have to be honest with ourselves, we went to these same municipalities and asked them to support the RAD because we were going into bankruptcy. We were in the fast lane to bankruptcy.

If you look at the Zoo, Phipps, Aviary, our parks, first of all, three facilities were going to be closed during our tenure. We actually debated the issues of closing these things because there was no money left. Five million dollars was going to be wiped out going to the Carnegie Libraries. We were that close. There was a budget debate to wipe out the \$5 million dollar annual allocation to the libraries if RAD wasn't passed. Mayor Masloff had it in the budget to close the Aviary. We were within six months of closing the doors of the Aviary. RAD saved all this. RAD is a regional tax that recognizes that we have assets in our municipality that are truly regional assets that we want to protect.

I think it's very dangerous for us to now stand up and turn around on one issue and say now we're going to be parochial. I think these are the messages that I want to try to avoid and stay away from. That's just one example, the RAD tax.

I think Councilman Ferlo brings up over and over again that in Plan B the City actually benefits more than any other municipality. What we are getting out of Plan B compared to everyone else and where the funding comes from.

I just want to explain why I voted no and why I will continue to vote no. But, at the same time, maybe this will be a learning lesson for the Administration. If you feel strongly about a bill that you're actually going to veto, you have to start two weeks in advance before the veto to let us know where you're coming from.

Mr. Hertzberg:

I'm not going to go through all the different remarks that have been made by my colleagues in support of overriding this veto. But, I share many, if not all, of their views.

I just wanted to briefly touch on some of the numbers here because I don't think asking for a 35 percent goal is unreasonable.

The Chair:

If I could ask everybody to pay attention because numbers don't lie. I think what you're going to talk about, I have. I think it will prove our point a little more.

Mr. Hertzberg:

When we look at a TIF and where the funds come from for a TIF and we're talking about real estate taxes, the different sources of revenue, and the millages involved, the City's millage for land is 184.5, the City's millage for buildings is 32.0 mills. The School District's millage, which is the same for buildings and land, is 59.7. The county's, which is the smallest of all, is 25.2. Being very generous with how we allocate our city tax between land and buildings, I've come up with a number that tells us exactly what the county's percent is for these TIF's, what part of the county tax is sacrificed and it comes up to 18 percent.

So, for 18 percent this bill offers the county, so to speak or other municipalities other than the City of Pittsburgh, 65 percent. That doesn't even take into account the fact that the county's 18 percent, the largest municipality within the county is actually the city. So, a big part of what the county puts in is actually

city resident funds. This thing is proportionately not unreasonable at for what the City and the Pittsburgh Public Schools put into these TIF's. To have a goal that there would be 35 percent is not really all that burdensome when you consider where the money comes from.

As was mentioned before, you can have a case where you have a TIF where we're putting all the city and school tax revenue into a particular project. If you don't have any city residents working there, you could end up with just a \$10.00 occupational privilege tax in return. There are a lot of ways that can happen. The only other revenue we get is either business privilege or mercantile tax. There are a whole bunch of exemptions for that including the two banks you see going up, they're exempt, they don't pay any business privilege or mercantile tax. So, a lot of times that's what we're left with, this \$10.00 a year tax which doesn't even make a dent. We have to make a dent.

The URA, I enjoy very much sitting on the board, but I can see their focus is very myopic. They're focusing on development. They want new development, they do a great job at that, that's what they're supposed to do. I want that to be their focus. But, you come over here and we have to worry about some other things. It's great to see new development, but how are we going to pay for the police, how are we going to pay for fire, how are we going to pay for the public works crews to maintain all this new development? Somebody has to pay for it and they have to pay for it now. When these TIF's are in effect for 10 or 20 years, how are we going to pay the overhead for these things? We have to come up with a way to do this. I think this

is a fair way to accommodate some of those concerns. We get a little bit more wage tax revenue because we have some residents that work in these new facilities. When they're adding these new jobs, we can add a little bit on the wage tax end of this thing.

For those reasons and a lot of the other reasons that have been specified by my colleagues, I'm going to vote to override this veto.

Mr. Ricciardi:

Mr. President, I'm at a lost why there is not ongoing and effective communication between this Legislative Body and the Administration. As a matter of fact, I have no idea who the point person is with the Administration regarding legislative issues that continue to come from this Body.

At the same time, I'm very concerned that we continue to pass a number of pieces of legislation that we consider jobs. Legislation that we create to retain jobs for city residents. We're going to continue to entertain other pieces of legislation such as the one that has been brought forward by Councilman Diven that appears to have a very good positive impact on city residents.

The problem that I have is that we continue to pass legislation words on a piece of paper and I'm not sure if we're accomplishing the goals at hand. That is, more jobs for city residents because we are not on the same page with the Administration. Because of that, I would, hopefully we didn't even get to this part, I wish that we would reconsider a bill, as Ms. McDonald always says for other bills,

gone back to the committee, have more communication with the Administration and try to get on the same page. Because of that, I'm going to be sustaining the Mayor's veto. I'm at a fear that even if we pass this that the Administration will not effectively mandate it or endorse it. Thus, another piece of legislation being passed without really creating jobs.

Thank you.

The Chair:

I certainly will be voting with the majority here. With all due respect to Mr. Udin, I applaud his efforts and I think we're about 98 percent in agreement. I certainly don't want to bring up that topic right now. We're very close and I agree with almost everything he's done.

Mr. Hertzberg you brought it up. I was just trying to figure out, 82 percent of the money is coming from city residents when you add the city, the school and the county. This is almost like a democrat versus republican. Doesn't anybody care about the people anymore? Everybody that comes to this table, since I've been here and restarted talking about TIF's, has said yes where going to hire Pittsburghers, we're going to hire Pittsburghers. All we've asked for is where are the figures.

We're saying if you're coming to us to borrow money, where is your commitment. Again, I ran into the Mayor and we had a little discussion on it Sunday. The problem is where is the bottom line? We give them all these new buildings but there's no revenue to us to pay the policemen, the firemen, police person, fire person, school teacher or whatever it may be.

The Heinz bill, some I committed to the new Heinz bill. The second one with the 200 jobs coming from Cincinnati. When you look at the figures, \$800,000.00 of that money is coming out of our School Board. How are they going to make it up? That money, if you break it down per year, is about two schoolteachers a year. Does Heinz really want to eliminate two schoolteachers a year from the Pittsburgh Public Schools? I don't think so. I think this is just a gravy train that's opened. If you're a vice president of any company and can go back to your board and say, hey, I got the city to give me a couple million and this in a TIF, hey, you're a hero. Nobody looks at the end results when there's no police and fire and can't pick up the snow.

So, I'm real close in drawing the line and saying about all TIF's. First of all, I bet you if we didn't put one TIF in, the only thing that would be missing maybe is a Lazarus. The rest of it all would have flew. Mellon Bank and PNC certainly weren't going to leave town for a couple of bucks.

Mr. Diven, you've said it time and time again, we built a stadium and we built a convention center, can't you build a hotel. This is really getting beyond my comprehension.

I'm on the board of St. Francis Hospital. I've been doing this for eight years and since I took office, I fought to keep money, our savings account in Pittsburgh. At one time, they were going to move it to another bank. We fought for residents, we always try to hire people within the neighborhoods. Okay, maybe we can't keep the big doctor who wants to

live in Fox Chapel, but we certainly can hire most of the regular help from the neighborhood. In fact, Lawrenceville, when I first got here, it reminded me of the steel mill; half the people could walk to work.

In this bill, it doesn't say of the 35 percent, they can be secretaries, basic unskilled and skilled workers. We didn't say the vice president and the big money guys have to be in the 35 percent. We could have the lowest payroll in that 35 percent. We haven't asked for the big dollar people to pay. I think what's really missing is our schools. The schools are giving up, I think, almost too much.

It's not us against them. Mr. Udin said it right, if they all did it, that means that 65 percent of Pittsburgh would probably work in Monroeville. You have to be at least committed and willing to do it. They've all said it when they come to the table. I haven't had one person say they weren't going to do it. Probably the most disastrous thing is when we gave it to ALCOA, when they went from 800 jobs to 400 jobs. Maybe that's downsizing, but in the meantime, Mr. ALCOA, can't you bring a factor, of 70,000 worldwide employees, a factor to Western Pennsylvania. I don't even care if it's in Pittsburgh now, put it in Homestead, try to put it in Lawrenceville if you can.

There's so much opportunity here. This is peanuts. I think it could be a lot stronger. We have to send a message, nobody's paying attention. When the budget comes, all these big things, the bottom line, hasn't increased outside of our parking tax. If the parking tax isn't there, we don't get any more revenue.

So, unless people live in this city, we're better off. Instead of buildings, take those office buildings down and put houses there because we collect money, more than \$10.00 when you live in this city.

So, I'm certainly supportive of this. I even think it could be stronger, but that's for another day.

Mr. Ferlo:

Just very briefly.

I think you raised a couple of good points. It just needs to be hammered away again. I would ask the Mayor and, in particular, the Administration to think about this. When we do a TIF, I'll pick an example, the Lawrenceville Shop and Save, with the financial assistance that we've given them, not directly a TIF but the development fund and the like or even the Home Depot development, as opposed to PNC or Mellon or even the ALCOA Headquarters, those projects at the neighborhood level, at the neighborhood commercial level, if you go look at the employment profile in the Lawrenceville Shop and Save and the other jobs that were created as a result of that development, it's about 80 percent plus neighborhood residents in and around the Lawrenceville community. If you look at the employment that will happen at the Home Depot, I'll bet 65 percent, maybe even more, will be residents in and around the East End neighborhoods.

So, even when we do do development, there's a glaring difference even internally when we're doing neighborhood based commercial development versus basically -- I think

some of it's a shell game. I think basically it's not so much new jobs as displacement of existing jobs only in newer buildings.

I do want to thank the School Board. The School Board, to their credit, I think has taken a pretty progressive view in being supportive of the Murphy agenda and this Council on major development. To be fair to the School Board members, they don't have a lot of choices. Other than the state funding they get, categorical reimbursement, they basically either have the wage tax, the earned income tax or the property tax that they can head up. They don't really have many options. We have, at least, lots of different tax revenue sources that we can mix together, raise or lower, we have fees, fines, forfeitures, you name it. There's a lot of hidden taxes, the Administration raised water rates outrageously in order to get a kick back to the general fund.

To the credit of the School Board, I think we've gotten a lot out of the School Board in terms of being supportive to the TIF's. But, from a School Board point of view, if a worker who's working as a resident in the city, they're going to get a lot more income than a lousy \$10.00 occupational tax. So, I want to also reiterate a thank you to the Pittsburgh School Board for being supportive of this development agenda, recognizing that they have even a greater burden than we do in terms of the budget constraints and the like.

I just wanted to hammer away on those points. Thank you.

Ms. McDonald:

I just want to add a couple of closing comments.

First of all, I don't want to make Senator Tim Murphy out to be the bad guy. It is their job as well to make sure that they represent their region, we also represent the region. I only wish that there would have been a level of respect that with this type of legislation coming from this Council Body that he would have communicated with Councilmembers, particularly, even the sponsor of the bill. But, at least, Council President who basically facilitates this Council Body. Somebody on City Council should have notified as to the grave concern.

This could have been squelched immediately with just simply communication to tell the Senator if you read this and read that, no it's not a mandate, etc. It could have been done. I think that it was an emotional reaction. It just could have been handled a lot better.

I would hope, though, that if, indeed, this Council Body does override and not reconsider this piece of legislation, that the Mayor and his staff would work with the City Solicitor who I worked with. I worked with the City Solicitor on this as well as the Department of Personnel to draft up a position paper of some kind to allay the fears of any developers, of any legislators, of anybody as to what this really is, what this really is. It is now up to him.

This Council, I thought that this was our duty, it's a set policy for the City of Pittsburgh, policy, legislate. The Mayor and his executive stance would be able to communicate and put into effect the policy that this Council Body has set in a way

that it's going to be effective for this City. I'm sure that the Mayor will do that.

I will be communicating with the Mayor's Office on this. To make sure that, indeed, we all move forward in allaying the fears that this is something that is going to be good for the City and, therefore, will be good for the region. What's good for the city is going to be good for the region. We're not a bunch of incompetent idiots here that are operating in isolation. We are very, very, probably the most competent Council body, we've ever had. I'm proud of that. We don't operate that way. We don't play politics that way. We really do research and dot our "i's" and cross our "t's." We know what's going on, we know the issues, we know the statistics. We even carry calculators to Council with us.

So, again, we know what we're doing. But, it's time though that the Mayor's office work collaboratively with this good Council Body to set the policy and enact what this Council puts in place.

I have worked not only with the Solicitor, with the people in the Administration, but I have worked with the Allegheny Conference, I have worked with Pittsburgh Regional Alliance, I have worked with the African American Chamber of Commerce, I have worked with the Greater Pittsburgh Chamber of Commerce, I have worked with republicans, probably more republicans than anybody else because there are more republicans that are the hierarchy in business, to make sure that what we hammer out has nothing to do with partisan politics, nothing to do with it. But, that it's good, sound, good

government type of policy, that's all. That's all this is about.

This actually was a bi-partisan thing and I would like to communicate that to Senator Murphy. This was just a good piece of legislation that this Council Body hammered out. You all pushed the envelope as far as you can without tipping it over and discouraging businesses. Yes, it does push the envelope and we should push the envelope. But, it does it in a manner that is (inaudible) to the business community that we've all talked to and that I have talked to. I've gotten no phone calls about this from anybody else.

Therefore, please, if we override this, we need to communicate with the Mayor. Let's put a position paper in place so that we set the tone, that we set the tone that this is good business and it doesn't handcuff anybody and it's not onerous and it's not an undue hardship.

I will personally make a phone call to Senator Murphy that regardless that his fears need to be allayed. I appreciate the input of all legislative members. I continue to invite that. Again, there needs to be communication. I wish someone had communicated to me or, at least, somebody on Council.

The Chair:

I guess we don't have to belabor anymore, but maybe it will help slow down the TIF's. I built 18 resident, 8 in the city and I didn't ask for one city nickel. When I opened a restaurant in the Cathedral of Learning, the first thing the University said is are you going to hire Pitt students, I did. What do you think, I'm going to hire CMU students. They should

be glad to do this. I know these corporate guys. I'd like to say, look me in the eye, ask me for the money and tell me you won't hire Pittsburghers. Come on, this has to be 50 percent.

Roll call vote on the override.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven **NOES** Two

(Mr. Onorato and Mr. Ricciardi voted no)

The bill has received the legally required number of votes to the override.

Mr. Hertzberg:

We passed a resolution earlier this year establishing a newspaper vending machine taskforce. I just wanted to update everyone.

We put together some diverse interest on that issue of newspaper vending machines at several taskforce meetings. The newspaper people had come up with what they called a good neighborhood program in which they were going to police themselves. The taskforce, then, went through this good neighborhood program and made a number of revisions. I circulated it to all of City Council. I didn't receive any kind of requests to

revise or opposition or support or anything. So, at this point, we are ready to have all the different newspaper vendors sign it. That's going to occur on Monday, November 1st at 3:00 here in our large conference room in the back.

The Chair:

Anything else under Unfinished Business?

Mr. Cohen:

Yes, Mr. President. Thank you very much.

I wanted just to bring up briefly a subject that I know Council offices had gotten a lot of e-mail messages about and that is, this open access issue. We've had discussions about it in executive session about the cable franchise renewal and negotiations of AT&T. I know that a lot of Councilmembers have received, as have I, a number of e-mail messages particularly in the last week, about the open access issue.

Briefly, that's the issue that involves trying to get AT&T to open its internet access wires to other internet service providers including some local internet service providers.

I wanted to just to take a moment to remind Councilmembers that on February 2nd of this year, we unanimously passed a resolution that was sponsored by myself, Councilman Ferlo and Councilman Diven, supporting open access in the City of Pittsburgh. It's certainly something that you can communicate back to the people who are contacting your office about open access.

It's an issue that is a complicated issue and it's also one that certainly involves a lot of money on both sides of the table.

Yesterday GTE filed an anti-trust suit against AT&T here in Pittsburgh on this very issue. So, certainly the big telecommunication operators are fighting over this. It's an issue that we are negotiating over with AT&T along with many other issues including the community access issue. I know many of you have met with what's called the I-net working group of community groups around the city. We certainly have been working closely with them. I think we've presented AT&T with a very, very strong community access proposal so that people who wouldn't normally have access to the internet, including the poor in our city, would be able to have accessed information. We presented an extremely strong proposal to AT&T.

I just wanted to mention this because I know you've been getting a lot of e-mails. I'd be happy to talk to any Councilmember further about it and also be happy to give you a copy of this resolution that we passed in February in support of open access as a general principle.

Thank you.

The Chair:

On that, are you planning any smaller meetings or larger meetings with Council to update us on some of those issues?

Mr. Cohen:

We had two of those, Mr. President, in the last two months. I think one of them was just a few weeks ago. But, the answer is, yes, we should have another one very soon because the negotiations which, by the way, are headed by the Solicitor, Jacqueline Morrow, participated in them. It's now rug cutting time with AT&T.

The Chair:

Would you recommend her having executive sessions.

Mr. Cohen:

I would recommend it be executive session. But, then, of course, the actual -- if an agreement is reached and it has not yet, then the bill would actually be brought to Council, we would have a public hearing and a full public discussion.

The Chair:

We will now move to the Committee Chair Reports.

COMMITTEE CHAIR REPORTS

MR. UDIN PRESENTS:

Thank you, Mr. President.

I distributed a copy of the report for colleagues.

The first item is the capital bond, which we are anticipating to go out in November. It will be \$59 million dollars. The Administration continues to adhere to the guideline not to issue more debt than we have retired. We'll be dealing with the bond bill today and we will recommit the

bill and then hold the bill until the bonds are priced in November.

The capital budget has been presented by the Mayor and received by Council and the public. It was presented on October 19th. In the minds of all Councilmembers, neighborhood priorities remain an important focus in all districts. I think it's important to note that it is expected that \$17 million dollars of the capital budget will be expended for the Market Place at Fifth and Forbes project. We're not sure if that's all out of one year or that may be spread over several years. But, the amount of \$17 million dollars is the figure that we last heard relative to the city's capital budget expenditure.

Scott Kunka is preparing an analysis of the capital budget to distribute to all members of Council. It is expected to be ready next week.

Relative to the Operating Budget, the Mayor will present the operating budget for the year 2000 on November 8, 1999. It is expected that the 2000 budget will continue the estimated \$25 million dollar structural deficit. The deficit exists because the ongoing expenditures continue to outpace our ongoing revenues despite the fact that we continue to operate with one-time revenue sources creating cash surpluses simultaneous with the structural deficit. We continue to urge the Mayor's office to initiate a comprehensive, multi-year budget plan to reduce the structural deficit as opposed to limited measures such as the refuge fee which will only reduce the structural deficit by maybe 10 or 15 percent.

Neighborhood Improvement Allocation, the Mayor announced a plan to use \$10 million dollars of the fund balance

for neighborhood improvements. The specifics of which were to be determined by Councilmembers in each district. Subsequently, the Mayor's office commenced scheduling meetings in each of the districts to discuss neighborhood priorities. By now each of the Council Districts should have a meeting scheduled. The hopes of some community groups have been raised to unrealistic expectations, at least in my district, each group coming in with proposals for how to spend the whole one million dollars on their particular priority.

Economic Development Allocation, Council still needs to determine the mechanism and the guidelines by which the \$150,000.00 per district economic development allocation will be expended. Then, we need to get an agreement with the URA and the Mayor's Office on this mechanism and the guidelines. We'll look forward to the Council President, perhaps, initiating some activity to get these guidelines determined and get this money into the districts.

On October 18th, Council welcomes Bill Urbanic back to the 5th floor as a budget analysis assisting Budget Director Scott Kunka. We will benefit from Bill's experience as we approach the upcoming budget period.

The Real Estate Committee. A committee composed of representatives of the Finance Department, the Real Estate Division, the URA and the Solicitor's office have been convened by myself and have been meeting to draft recommendations to improve the way the city disposes of tax delinquent properties. The recommendations are expected to be

presented to Council before the end of the year.

PeopleSoft Staffing, the Controller's office and the Mayor's office have met and agreed on staffing structure for the PeopleSoft division within the Controller's office, resulting in the appointment of Attorney Kevin Forsythe as the head of the PeopleSoft division. Other staff appointments are expected to be made from within the Controller's existing staff. At present, no outside PeopleSoft experts and no consultants are anticipated. A review of this staffing approach is expected by year's end, by the Mayor's office.

The Disparity Study firm, Mason Tillman Associates, recently presented an update to the Disparity Study and Implementation Commission. The contracted tasks are proceeding on time and within the budget. All departments and authorities, for the most part, are submitting the requested contracting data and information.

Finally, Mr. President, is the City's Police Review Board public hearing. As you know, one of the items in the Review Board legislation required a committee after nine months to review the work and organization and development of the Review Board. It has been substantially beyond nine months and myself and the Solicitor, Jacqueline Morrow, appointed by the Mayor, and the Human Relations Director, Chuck Morrison, established in the legislation, we have met and begun the process of reviewing the Review Board. We have set a public hearing where the public will be invited to give their input on the functioning of the Review Board. That public hearing is scheduled for November

10th at 5:30 p.m. here in City Council Chambers.

That concludes the Committee Report of the Finance Committee for October 26, 1999.

Mr. Hertzberg:

Just a couple of topics I wanted to follow-up on.

The capital budget and the funds that may go into the Market Place at Fifth and Forbes, I just want to ask Scott Kunka to be very careful with that. Maybe I'm being given bad information, but I want to be sure we have these numbers correct. My understanding is that of the funds that are going into that, it's going to be 80 percent federal highway dollars and 20 percent city dollars. That may be what's happening with the \$17 million that the actual city bond funds are going to be significantly lower than and this may be the total amount that's going into the public road improvements primarily. So, I'd ask Scott to go over it with a fine tooth comb.

Also, the issue brought up by Councilman Udin with the \$150,000.00 per district, which are funds within the URA. I think that's what you are talking about. There have been guidelines that everyone should have received from the URA. Maybe you don't agree with them, but I know they've been circulated. If you need another copy, we can get you those guidelines.

Essentially what the URA guideline says for that \$150,000.00 per district is that it's just like the Pittsburgh Development Fund, similar criteria, mainly to help new businesses or business

expansions with the below market rate loan is what mainly it says. Of course, the Pittsburgh Development Fund was only large stuff. So, starting at \$150,000.00 or lower is certainly much smaller. So, it kind of fills what was a void for some of the smaller end, needs for small businesses. Also, the other criteria is that the Councilmember in the district nominated or at least conquered that this is a good allocation of those funds.

Mr. Onorato:

I just want to comment on the ongoing debate over the \$150,000.00 (inaudible) development out of the Development Fund. I just want to refresh everybody's memory, last year you might recall there was debate during the budget process that started with taking the \$1,500,000.00 of interest paid back on these loans to be put into the operating fund to help balance the budget. The Administration was opposed to that position, Council sort of was debating it for the time, we never got to the conclusion. I do not know what the majority would have held, but there was a compromise reached. At that particular time, I played a role in the compromise approach.

I remember talking specifically at a meeting, Deputy Mayor Cox and the Mayor were present. If I'm not mistaken, Deputy Mayor Cox was and still is the chairman of the URA Board. The compromise, it was very clear in my mind, it wasn't a gray area, the compromise was if we, City Council, would not take the \$1.5 million to balance the budget, we would take a one year \$1.5 million and put it into uses in our district; \$150,000.00 each plus \$150,000.00 for the Mayor's

allocation. It was not part of a loan program and it was not part of a pay back plan. This was money that was going to be used to balance the budget. We said we wouldn't put it in the operating, we'd leave it to the URA, but it would be used, \$150,000.00, within our Council District.

This money, I want to remind everyone, does not have this, so-called, federal rules and regulations. This was money paid back that was very flexible. It was interest and very flexible. I treated, in my mind from what I heard at the meeting, identically to the million dollars we're getting for our district to spend whatever way we like in cooperation with our colleagues and, obviously, the Mayor signing the bill. But, that money, at that point to me and the conversation, like I said, was very clear, that as long as we left it this way, we could find projects in our district and use the \$150,000.00. That is the assumption that I'm still operating under.

I'd be very happy and I know the Chairman of Finance has approached me to see if I wanted to participate to try to resolve this ongoing dispute. But, that's my recollection of it. I would hope that we still keep it that way and that we establish a way on how to release it based on the projects that are approved and move it forward.

If someone wants to use the money to build a concession stand, I think they should do it. If somebody wants to use the money to fix a retaining wall somewhere, do it. If someone wants to use it to repair the steps, I think they should to it. These are all public activities, it's infrastructure. It shouldn't be a loan, it should be a direct allocation to do the project.

If we're talking about giving money to a private development, well maybe we should debate the issue of how we do that. But, if it's purely a publicly owned facility or publicly owned wall or publicly owned sidewalk, I don't think there's any debate. There's \$150,000.00 for each Council District. Let's just somehow put a resolution through and decide how we want to do it. The Chairman of the Board, if he still agrees with this or not, my understanding is he does, but we'll check that out. I hope we move on this issue and release some of this money.

Mr. Udin:

I just wanted to remind colleagues that I don't think it's necessarily an unresolvable difference of opinion. I think the URA has made a proposal and we have to respond to that proposal. I will be drafting up a draft policy and circulate it to Councilmembers to try to get our own consensus on what our response to the URA's proposal will be. But, it is our proposal that will be the final proposal. I don't think the URA will disagree with it, they just made their initial proposal for how they thought the development funds could best be used. We'll do that in the next two weeks.

Mr. Ferlo:

Thank you, Mr. President.

First of all, I want to thank Councilman Udin for his comprehensive report and also thank him, actually, ahead of time because I know he works hard on the budget and I know he's going to spend

lots of time between now and the end of the year guiding us through this process.

I did want to ask my colleague, Councilman Udin, if he could please work with us individually in terms of the scheduling on our respective committees that we're asked to chair each year as part of the budget proceeding. A number of us, I think, maybe we would like to change the format a little bit. I'm particularly concerned, at least, my committee which is the Engineering and Construction Committee, that we go down. Although there's a general grouping a very large broad category of expenditures, I wanted to have some time to get more specific about what are the specific projects that have been completed in the past couple of years, what are the specific projects that are on the agenda of the Administration even by council district, which I thought would be a more interactive and kind of a more frank discussion about what our hopes and aspirations are but also what our limitations are rather than just sit there and listening and talking about staffing positions and the code accounts on pencils and papers. I'm not interested in doing that.

I really want to do the time almost down to getting some power point graphs per district. Understanding how the funds will be demographically dispersed and what the prioritization methodological from the Administration. Don't forget this is a director in a department that's kind of a mechanic. They're not always in the decision making seat, but they're asked to do things for the Administration, the budget office, various department directors, Public Works and the like. So, I just want to make it clear, at least, for this year I'm going to try to change and make

the session a little more meaningful, not only to Council but, more importantly, even to the public they understand what kind of agenda what Council and the Administration is. So, I wanted to ask that as a courtesy.

Two, the \$150,000.00, my main concern, and I'll respect any other colleague, I wanted the money specifically to go to commercial and residential development. In my district and in non-CD neighborhoods that have been under allocated or short changed in a way because they cannot use it. Most notably, it would be Morningside and the Highland Park communities where I've never been able to allocate CD dollars. So, I want to try to maintain the focus on that. But, I will be supportive of each and every colleague relative to their own district.

Thirdly, I wanted to ask Councilman Udin, since he's understanding on the Tax Increment Financing which, in the end, is a major budgetary issue because we're foregoing future tax revenues. I am concerned that we are fast approaching the cap, I've raised this in several meetings over the last couple of months on the amount of money we're actually able to TIF in terms of Tax Increment Financing. Before we spend the 10 percent or all the cap figure, I wanted to ask Council to begin thinking now and if we agree and we have a consensus can we find a legal way to do it. My suggestion is, I want to ask this to Councilman Udin because of his leadership being the finance chairman. I wanted to ask Council if we would be willing to keep or try to find a way to legally keep at least two percent of the remaining dollars to go for strictly neighborhood based, per district, neighborhood based commercial and

residential development? I want to know if there's a legal way within the constraints of the state statute. I'd like to know because we've done disproportionately Lazarus, ALCOA, PNC, you name it downtown, all of which I've supported and all of which are important.

But, for that remaining two percent, I wanted to ask especially Councilman Onorato who was very thoughtful on some of these finance issues and Councilman Udin and all of us, I wanted to ask if there's sympathy or support for trying to fashion a residential/commercial TIF at the neighborhood level to see whether or not we can hold back two percent of the remaining cap that we have and see if we can design something that targets neighborhood based residential and neighborhood based commercial.

My argument is not only in a sense of equity and fairness to the downtown TIFing or North Shore TIFing. But also, and I will show this and I will prove this, disproportionately the investments that we make in neighborhood residential and neighborhood commercial result in livability improvements in our neighborhoods and employment improvements.

I keep saying this and I've been saying it for five years. We have \$60 to \$70 million dollars invested on Second Avenue and I don't know one person that works there. In my whole council district, I don't think I know one person that works as a result of a \$70 million dollar investment at this J&L Second Avenue Technology Center site. If they're there, please call me so I can stop this at every meeting for the last two years. But, I don't know anybody. I know hundreds of

people that have worked when we've done neighborhood residential and when we've done neighborhood commercial like street face. I can show you hundreds of people that work as a result of the Shop and Save in Lawrenceville or the Home Depot.

So, I would ask Council to please think about this. No pride of authorship here, we can try to struggle together with this issue of looking at the remaining two percent to fashion the neighborhood based resident/commercial development agenda.

Thank you.

The Chair:

In response to that, I believe Mr. Diven has actually talked about it. I don't know if he's preparing legislation. Like you side, there's no pride of ownership, but if we work together I think it's the same goal is there.

Thank you, Councilman Udin.

We will now move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2213:

Report of the Committee on Finance and Budget for October 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2131:

Resolution Providing for the transfer of \$911,000 (Nine Hundred Eleven Thousand Dollars) from Organization 999300, Account 511000, Fund 1000, Sub-class 010, Budget Year 1999, to Organization 999300, Account 574500, Index Code 004697, Fund 1000, Sub-class 040, Budget Year 1999, Department of Personnel & Civil Service Commission, Employee Compensation. The purpose of this transfer is to move funds from the Return-To-Work program back into the disability Workers' Compensation payroll account to cover benefits due to non-acceptance of Return-To-Work positions.

Which was read.

Also,

Bill No. 2132:

Resolution providing for the transfer of \$5,000 (Five Thousand Dollars) FROM fund 1000, account 5121000, sub class 010 organization code 109000, TO fund 1000, account 516000, sub-class 020, organization 10900, Department of Personnel and Civil Service Commission, Salaries to Premium Pay.

Which was read.

Also,

Bill No. 2167:

Resolution providing for the issuance of a \$6,670.00 warrant in favor of Lois McCullough, of 1311 Columbus Avenue, Pittsburgh, PA 15233 in settlement of a claim in which City tree roots caused sewer pipe damage.

Which was read.

Also,

Bill No. 2169:

Resolution Changing the name of the Public Auditorium Authority of Pittsburgh and Allegheny County to the Sports and Exhibition Authority of Pittsburgh and Allegheny County.

Which was read.

Also,

Bill No. 2170:

Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City in compliance with the Local Government Unit Debt Act by the issuance of General Obligation Bonds Series A of 1999 to provide funds to pay the costs of various capital improvements and to pay the costs of issuance of the Bonds.

Which was read.

Also,

Bill No. 2183:

Resolution Authorizing the Director of Finance to provide a written analysis of the feasibility of providing an offset to the business privilege tax levy in relation to employment of City residents.
(SPONSORED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Mr. Diven:

I just wanted to talk about the bill directing the director of finance and treasurer to come up with a feasibility study regarding the Business Privilege Tax that's up for final action.

Mr. Hertzberg:

Point of order, too, 2170, I believe, needs to be recommitted; that's the bond issue.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Diven:

The reason I wanted to talk about this is, I know we've had a lot of discussion regarding jobs and job creation bills in Council. I did want to make a point. I had a very productive meeting the other day with Treasurer, Richard Fees, and our Budget Director, Scott Kunka. There is a commitment to work to try to establish this process.

I think it's important that we note that unlike the other parochial issues about whether or not it benefits the city or it benefits the suburbs, I think it should be

noted that only 20 municipalities in Allegheny County have the Business Privilege Tax. As of 1988, the opportunity for them to institute a new Business Privilege Tax is taken away. If someone has a Business Privilege Tax and lowers it, under the state legislation, they're never allowed to raise it up back to the original level.

So, this legislation is not something where we're pitting the city versus the county. I think it's going to go a long way in leveling the playing field so that businesses have an opportunity to compete with some of the surrounding municipalities on an even level as opposed to, right now, with only 20 municipalities charging the Business Privilege Tax.

The City of Pittsburgh is still the highest at 6 mills per 1,000 gross receipts. I can see it first hand from my district and I'm sure other Councilmembers can see it. In particular, a small business, somebody that's going to employ under 50 employees, if they're looking at a place and don't have to have the expansive square footage or any other special items and the location of that business. A lot of times when a small business looks at the City of Pittsburgh they look to locate as close to the City of Pittsburgh, but just outside of it's border so it doesn't have to pay this tax.

I think working with the treasurer and the Department of Finance and our council budget director; we can come up with a plan. I'm very confident, given the meeting I had the other day, we're going to come up with a plan that allows us to level the playing field which encourages more smaller businesses to move back into the city while, at the same time, providing an

economic incentive that is proactive instead of a mandate. If the state senators or the Mayor want to say that they're against using tools like that, then this is something that will be proactive. If somebody has a choice between two potential employees, one's a city resident and one's not a city resident, and all things being considered equal, they can hire whoever they want. But, it will provide them a financial incentive if they choose the city employee based on the rationale that, instead of the city just getting a \$10.00 occupational tax from a non-resident, they'll get the additional earned income tax that that resident would pay by being virtue of being a city resident.

I think that was important to note and to clarify that we're not looking at playing a level playing field when we talk about the 130 municipalities in Allegheny County. Only 20 of them charge a Business Privilege Tax. Of those 20, the City of Pittsburgh is the highest in relationship to the millage rate on the Business Privilege Tax.

Hopefully, this will be a big incentive for, especially smaller businesses who can use the break because that might be the difference between profit and lost margin and it might be an incentive to hire more employees. Hopefully they'll be City of Pittsburgh employees.

I just wanted to clarify that.

The Chair:

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

(Mr. Ferlo voted no on Bill 2169)

The bills have received the legally required number of votes and have passed finally.

Mr. Udin:

Point of order, Mr. President.

I apologize, but it was my intention to reconsider --

Mr. Hertzberg:

We did that. The bond issue is recommitted.

MR. HERTZBERG PRESENTED:

Bill No. 2214:

Report of the Committee on Public Works and Environmental Services for October 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2126:

Resolution granting unto 312 Boulevard Associates, 312 Boulevard of the Allies, Pittsburgh, Pennsylvania 15222, and 322 Boulevard Associates, 322 Boulevard of the Allies, Pittsburgh, Pennsylvania 15222 their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, planters on a portion of the sidewalk areas at 312 and 322 Boulevard of the Allies in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2161:

Resolution granting unto Russell and Irene Lanza, 1081 Greentree Road, Pittsburgh, Pennsylvania 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, parking area and driveway for expansion of a warehouse at Lampe Avenue, between the terminals of Greentree Road and the dead end portion of Lampe Avenue in the 20th Ward, 2nd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2162:

Resolution Vacating a portion of Ibsen Way between Ikon and Isles Ways in the 14th Ward, 5th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2215:

Report of the Committee on Public Safety Services for October 20, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2130:

Resolution amending the guidelines to effectuate warrantless arrests for public drunkenness to include guidelines for effectuating warrantless arrests of persons under the influence of a controlled substance, as defined in the Act of April 14, 1972 (P.L.233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, except those taken pursuant to the lawful order of a practitioner as defined in the Controlled Substance, Drug, Device and Cosmetic Act. —(SPONSORED BY MR. ONORATO)

Which was read.

Also,

Bill No. 2165:

Resolution authorizing and directing the Office of the Mayor, Director of the Department of Public Safety, Chief of the Bureau of Police, Chief of the Bureau of Fire and Chief of the Bureau of EMS to establish a "Baskets for Babies Program." This Program shall place a basket from the Baskets for Babies Program in each of the City's Fire Houses. —(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President.

In relation to 2130, in case Channel 11 is watching or reporting, I want to make it clear I do not favor public drunkenness or public use of drugs.

My concern with this bill and I abstained originally, I think it was late last year when it was initially approved. I understand the context in which the bill regarding the six pack of Point State Park and making arrest and summary offenses and all that. But, I'm still concerned about the kind of nebulous language where the arrest can be made where the individual manifestly, under the influence, I'm not sure what manifestly under the influence mean. I think police officers are going to have this difficulty with this bill, at least, in some instances.

So, I'm going to have to respectfully vote no. I hate to sound like a bleeding heart liberal, but I am a bleeding heart liberal. I don't understand the approach here on public drunkenness.

Under the Masloff Administration, under the Caliguiri Administration that ended under the Murphy Administration, we had already given an annual grant to the Salvation Army Public Inebriate Program. As long as I was here, I think it was an annual \$50,000.00 grant.

The police and, to some extent I agree and sympathize with the warden's view from the jail, people need to be taken somewhere in terms of being dealt with public drunkenness. I'm not condoning it. I'm not saying in certain instances where individuals are abusive to police, themselves or others, there should be an arrest and they should be brought to the lockup. We don't have a lockup anymore, it's the county jail. The idea was behind

the old program is that people should be taken to the half-way point and that is the Salvation Army Inebriate program. There may be other agencies now that also perform that activity, I don't know.

But, if we're really going to deal with the problem, it's not as simple as just saying everybody's going to go to the lock-up at the county jail, it just doesn't work that way on a practical level. The police get tied up for hours on end when they should be answering calls in the neighborhood. That's part of why we have concerned neighborhood level about the police response. If you tie the police up on curfew or things like the drunkenness, they're down for several hours. No fault to their own. It takes time to process.

There's a lot of issues involved in this bill. I'm just going to have to respectfully vote no on the bill.

It's very difficult to vote no on the Baskets for Babies. We have Firefighter Dorsey up here, he's a wonderful gentleman. You couldn't find a more eloquent individual who spends a lot of time and works very hard.

The individuals here that have come last week were here months ago for a proclamation and are here again today. They're a very dedicated group of individuals who I know in their heart believe this is the right thing to do. I have tremendous respect for them. But, I continue to maintain a no vote on this bill for lots of different reasons setting aside liability issues.

My main thing is I think it's a completely wrong message. I will not vote to tell any individual, any woman no

matter what her state is mentally or otherwise, that we will condone the leaving of a newborn child in a basket and I don't care where it is. I cannot bring myself to do that. I will not vote for this bill. I think it's wrong headed and just wrong policy, publicly and morally and legally, I think it's wrong. I'm sorry, I just can't cross that hurdle and I will not vote for this bill. I do not support the message.

I think if we send the basket, it should not be a physical basket outside the door of a fire station or a church or anywhere else. It should be a big basket that's a family government basket that provides a comprehensive approach to the problem whether it's early prenatal care, whether it's trying to understand young people who do get pregnant and trying to search them out in the schools and the community, provide counseling, and provide support services. I think the Moms House is a wonderful organization that deals with alternatives to abortion. There are so many other common and community wide approaches that I think we need to take.

I just totally disagree with this. I will never vote to send a message to anybody that it's all right to leave a newborn child in a basket and I don't care where the basket is. I think it's wrong and I think people should be prosecuted to the fullest extend of the law.

Thank you.

Mr. Cohen:

Thank you, Mr. President.

I'm also voting against this Baskets for Babies legislation. I think that it

presents just a false hope that is not going to be fulfilled.

A desperate young woman who is in that situation is simply not going to go to a public safety facility to abandon her baby, it is just not going to happen. Moreover, they're not going to look in the newspaper or watch these City Council meetings or somehow know what homes have baskets for them to put their abandon baby. It's a tragic situation when that happens.

I agree with Councilman Ferlo that what we need to do is put our efforts into early intervention to try to prevent that situation from happening. But, to have a basket for babies program simply presents a false hope and I can't support that.

Thank you.

Ms. McDonald:

I'd like to have my comments brought forward from last Wednesday's Standing Committee Session. I won't repeat all that I said. I think most people heard me loud and clear. I think Councilman Ferlo coined the phrase perfectly, it's a real basket. A real basket is intervention, prevention and follow-up after the fact. A real basket of social services.

Again, this whole effort is an emotional one as we saw last week. It was brought about based upon emotion. I want to add some meat to the bones here if we're going to do it and we're going to do it right.

Again, my vote would be no unless Council would be agreeably to amending 2165. First, I'd like to make a motion to

waive the rules of Council so I can even entertain an unwritten amendment.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

If this program is going to work, we need to have everybody on board including our public safety personnel, the Mayor and this Council Body. Let's step back for a minute and really try to do it right.

The amendment would read as such, a resolution authorizing and directing the office of the Mayor to submit a plan to establish a basket for babies program, period. It doesn't talk about the firehouses, it doesn't talk about Public Safety, it talks about nothing. It basically puts it back into the Mayor's court that if this Council Body is serious about a Basket for Babies program then we need to have the Administration enact it. You're shaking your head, I know it's not going to pass, but I'm going to throw it out there anyway to make a point. I just like to see things done right.

I was not privy to any of the discussions with the Department of Public Safety officials or the firefighters. I have not been privy to that discussion. I don't know if it's doable or workable. I don't even know if that's the best way to go about this. I don't know even know if the program is the best way to go about it, period.

But, at least, if we're going to have the will of this Council Body to enact it, I

would ask that we just slow it down a little bit and ask for the Administration to come forward with a real plan that could possibly tweak it in a manner that would make it workable. If that were not the case, my second alternative would had been to make an amendment to add some set provisions and annual evaluations.

Right now this legislation reads that this is a program that's going into infinity, into perpetuity; I don't like programs like that. It's like a 99-year lease that we grimace about. We need to have some type of provision in place that indeed if the Body wants to put baskets at fire stations for whatever reason, there is at least some type of sunset provision. I don't think, I really don't think there's going to be a baby in any of those babies. In fact, I know there's not going to be a baby in any of those baskets. But, it may be that we need to evaluate how is it working in the firehouse itself, logistically. We're talking about is it inside, is it outside?

Again, we need to have some type of discourse, at least, sometime before the year 99 about how this program is working.

Again, the amendment is on the table.

Mr. Ferlo:

In all due respect to the amendment, I don't know if the proponents and the sponsors of the resolution today want this amendment or not and I'm anxious to hear from them. I assume we're going to vote this up or down one way or the other and take a

position. I've already spoken about why I'm opposed to it.

If we're going to start doing amendments and/or tweaking the bill, which is fine, I'd like to throw out another alternative. That is, we not have a final vote on this bill today. I think it would actually help the proponents. I think we should use the power of the public forum here and the boldly pulpit of this Council being cable cast and being able to bring people to Chambers from various agencies including non-profit groups and actually hold this bill and have a public hearing where we talk about the crisis whether it's one individual baby or more. Talk about the crisis of child abuse and/or abandonment of newborns and bring individuals, including the proponents of the Baskets for Babies program, into Chambers along with others and let's talk openly and frankly about the issue. Let's document what the issue is and is not. Let's talk about the service provider network and what is being done and what is not being done and what are the gaps. Let's talk about the community wide response of the problem, whether it be the religious community, whether it be the proper role of government, whether it be the non-profit health and welfare agencies, or whether it be individual families in the schools.

If we're not going to do a vote up or down, then I would like to suggest we not have a final vote on this bill. But, rather that we construct at an appropriate public hearing where we can have a much broader issue involved in this debate.

So, I'd like to offer that as a counter suggestion to the sponsors.

Mr. Udin:

I voted preliminary to support this bill and I would support the proposals offered by Councilwoman McDonald as well. I think to start it out simply as a limited program -- we are quickly approaching entering into an area of human services that is controlled and funded by Allegheny County government and not the government of the City of Pittsburgh. I'm not trying to avoid our responsibility for the wellbeing of our children. I've had babies in my district found dead. I've had babies in my district found abandoned walking around in the street. I think it's appropriate that Council approach this subject, but I think we need to approach it with the perspective of the jurisdiction of Allegheny County and the resources of Allegheny County. They're the ones who really get the money to provide these programs and we need to find a way to include the Allegheny County Human Resources Department and other related departments in this discussion.

Secondly, I was disturbed by the testimony of the Assistant Fire Chief last week who indicated that on several occasions fire houses and EMS stations are empty without personnel for a variety of reasons. I think this legislation originally anticipated that there's always someone there. I don't think that there are provisions that have been spelled out for what happens if we invite this phenomenon and there's something that calls the entire fire house out to some kind of work duty, what do we do. We need to have some provision in anticipation of that likelihood so that we don't have the horror story. I know that the sponsor of the bill would not ever want to create such a situation where a child would be left at a

fire house, but left unattended because nobody was there. I don't think we anticipated that.

I think that the most important thing is prevention and education. I said that last week. I think that if we're going to do anything like a basket for babies program there has to be attended to it a comprehensive prevention and education program that goes to the root cause of these abandonment problems and not just a feel good program.

I certainly would support going back. I would hope that the sponsor would support going back and making this a more meaningful and comprehensive bill. In either event I'd be glad to support it.

Mr. Ricciardi:

Thank you very much, colleagues.

I listened very closely to the arguments that have been made today by the opponents of the bill. Obviously, I appreciate their arguments and respect their position. But, it's very clear to me that they wish that the bill does not gain approval today, that they wish to derail the bill or even confuse the bill by amendments put forward. That's the reason that I'll be voting against amendments today and hopefully we'll be approving this bill.

If you look carefully at the legislation, some meaningful guidelines and criteria need to be established and that's the reason the legislation is written so broadly. We're hoping that the Administration will work very closely with their directors including their chief of fire and police and come forward with,

hopefully, a program that is acceptable. There's no question that we need to be involved into the intervention stages of parenthood. However, that's not something that I can directly affect. Yes, we could talk about it at public hearings, but those public hearings can go forward.

There's no question that death has occurred here in the City of Pittsburgh, in Allegheny County, when babies have been abandoned. I'm not sure if early intervention can even aid a very confused, scared, and irrational mother. I'm not sure if the mom would walk to, for example, a fire station and not an alleyway.

But, what really confuses me most, colleagues, and with deep respect for all of you, what do we have to lose. There's very little cost to the City of Pittsburgh. There is going to be very little personnel hours spent on the program. There's not much to lose at all. Maybe what we'll lose is ridicule. Maybe some people in the City of Pittsburgh would think that "it's a silly program" and might make certain comments towards it. I can handle that, I think we can all handle that. We've all taken positions for what we believed in. But, there's everything to gain, everything to gain.

It is a good symbol. I agree with you, Mr. President. I think it's a good symbol that we're sending out that we care about abandoned babies, we care about moms. But even more so, if it just works once, if it just happens once, if it just saves a baby. That's my confusion and where I'm at a loss at understanding the opponents objection over this. We're not expending resources, we're not really expending any capital, we're really not putting ourselves out at all. The

firefighters are willing to take on the increased responsibility. The women's auxiliaries are able to carry on the increased responsibility.

It's interesting, I'm not receiving this negative onshot of opinion. Some people might be having fun with it. They can be having fun with it all they want because I'm keeping focused. Maybe there's a safe way. There's not ever a proper way to abandon a baby, there's just no proper way, there's no legal way, but maybe there's a safe way, for a lack of a better word, to abandon a child. When we have the District Attorney working with the coalitions, when they realize there's a problem out there, and they're willing to lookout the box. We really don't have much to lose at all.

In closing, I just want to thank Councilman Alan Hertzberg who first brought this to the attention of this Body through a resolution and proclamation. I'd like to thank him for his ideas. He's really directed an answer to many of the liability questions because of his outstanding background as an attorney. I want to thank him for his example because he, himself, and his wonderful wife, Mary, they're not hypocrites. They've gone forward and they're participating in the program with a basket.

So, hopefully, we'll vote against all amendments today. I'm hoping the bill passes.

Mr. Hertzberg:

Thank you, Mr. Ricciardi, for those kind remarks and thank you also for co-sponsoring this legislation. I agree with you 100 percent, there's no need for any

amendments here. We don't need to have a public hearing and we don't need to dive into this whole comprehensive issue. That's not the intention here.

This is a program, a volunteer, grassroots kind of program that, on the one hand, says, this is the very last resort for somebody. This is, in no way, meant to replace all the different things that are already there. This is a last ditch effort by some volunteers in the community that want to do something, want to try to do something to help out, that's all this is. This isn't an effort to send out a message that it's okay to abandon infants. That's the last thing on earth that this program is about. It's about the possibility of saving a life of an infant, that's all it is.

As you pointed out, Mr. President, I think very well, it's also a message to these mothers who may feel that nobody cares. These people with these baskets all around, they do care. The government, in the case of the firehouse, the government cares, too. In fact, the City of Pittsburgh, you're government if you live in the city, cares. There's people out there that care.

As some of the no votes have said, if it's not going to work anyway, for all these different reason, no one's ever going to leave an infant in a basket. So what, what's the problem? On the otherhand, if maybe one infant's life is saved, then we've all accomplished something.

I don't see any need to make any amendments or to do anything. I'm going to vote no on any amendments and hopefully we still have the support of a sufficient number of Councilmembers and in the event the Mayor vetoes this, too, we can override it.

Mr. Ferlo:

I couldn't disagree more strongly. To my colleague Councilman Ricciardi, no one's having fun with this discussion or debate. This is an emotionally charged discussion where we strongly disagree with each other based on the practicalities of this proposal.

Mr. President, my worse fear is that it might work in a case. It might work in a case where a child is left in a fire station where there is no one. As Chief Kennedy has talked about hypothermia and the elements. So, that is actually one of my fears. Nothing can be more wrong about this notion that this is an innocent community program. If it's an innocent community program, let's keep it as an innocent community driven advocacy effort.

Once we empower government and we identify ourselves and we're being proponents legally or otherwise in support of this proposal -- I don't agree with it tactically. I think it's a bad idea and I would ask if this Council wants to support this, let's heed the good advice from Chief Kennedy from the Emergency Medical Service. His suggestion which I think is much better, not only in terms of the safety of any newborn, but also on a practical level of what a young woman in such distress might likely do.

It's a lot easier for a young woman who's in distress who's reached the crisis level of leaving a newborn child either because she believes the child is alive or possibly dead, isn't it more appropriate and from a caring point of view, a way for government to encourage. If it has to

happen, wouldn't it be better if we take Chief Kennedy's advice that the individual call anonymously 911? There's a lot more (inaudible) associated with picking up a pay phone and calling 911 than the act of physically trying to appear at the fire stations which we all know where they're located and they're highly visible locations.

If anything, I think it would be a lot better for an individual if, God forbid it has to happen, go to a restaurant or somewhere the child can be safe and they anonymously call 911.

I'm saying, I don't even agree with the proponents view that this is a workable, plausible way to address the issue. I don't even agree from that point of view. So, this is not having fun with the bill. I just don't agree with this proposal. I hope the Mayor vetoes the bill because this is bad news.

Just in closing, Mr. President. The other (inaudible) messaging that we are sending and it's part of just a bleb I have about the further isolation of people in this high technology society with the use of an internet, we are further encouraging individuals to be isolated from the community, from their neighbors, from their family members, from their loved ones, from their co-workers, and from their classmates. That's another reason why I almost feel like we're almost encouraging individuals who are at a crisis state from their mental health or otherwise, we're encouraging further isolation and lack of communication to individuals and entities around them. That's why I also do not agree with this bill.

Mr. Udin:

First of all, I understand the passion of the sponsors of the bill around this issue. It's a very passionate issue. But, I would encourage us not to characterize those who support the legislation as people who care and those who oppose the legislation as people who don't care. I don't think that's the case. I think that we all care. We care very deeply and we care enough to try to make this a meaningful bill as opposed to a feel good bill. Not to suggest that that is the intention of the sponsors of the legislation, but I think we all care.

I also want to take my remarks out of the category of those in opposition to the bill. My remarks about the bill were not from opposition. If the sponsors will recall, I voted for the bill when it came up in a preliminary vote although I had several reservations about the bill. That's not opposition.

I'm speaking as a supporter of the bill and the intent of the bill. I think it has some work to do on it. I think we are underestimating the power of public policy. When we move this from a voluntary community effort to public policy, there is, in my judgment, the potential that carries with that public policy a tacit approval of baby abandonment. I don't think we can ignore that regardless of what our good intentions are. That's the reason why I think that it may be irresponsible to pass this bill without the wraparound education and prevention messages so we do not send the wrong message. To pass a bill without the necessary comprehensive prevention and education messages, I think runs a risk of sending tacit approval. I know that nobody, the sponsors nor the people in the

community who are supporting this, intend to do that. It may inadvertently be the outcome.

When we make legislation or resolution to use public facilities to facilitate this program, it takes it out of the realm of just a voluntary community effort and makes it a much more high profile situation and sends a much stronger message. I just don't want us to underestimate the impact of what we're doing here.

I don't understand why the sponsors would oppose the amendments since the amendments are not changing or reversing the bill, it's trying to strengthen the bill. So, I don't understand what the real basis of the opposition to the amendments are.

The Chair:

If I can speak to the amendments. I don't know that we need the Mayor's office to get behind this and start working out all the details. Similar to what you said, this is a county health issue, call the County Department and have the facilities.

Ms. Kelly is here and I happened to spend some time with her last week. I think their intention is doing precisely what everybody is saying. This is an open door to all the things we've talked about, preventive, prenatal, all the help that's out there. I think their real intention is to show, by this basket, that there's so much help out there and before you leave a baby there you'll be looking at it, whether you see it when you're seven months pregnant and know there's other help out there, that may be the case. Whether you put a 911 before you lay the baby down,

you call 911. I think all those things are in place. I think this is just trying to highlight it more. Their whole program is really pushing all that. I guess the abandonment would be the last million to one thing. I think the key thing is, like all the things we're discussing right now, are really help them out and helping all the mothers know that there is so much help out there.

Mr. Onorato:

Here's my position. It's worth debating this issue. I could support a recommitment and I could support a vote of the bill today. I am going to vote yes to the bill, I voted yes last week. I'm also going to support these amendments. I don't mind if we try to debate this issue.

The reality of this bill, right now, the way I'm counting and I could be wrong on this, it appears there's five votes. If the Mayor is going to veto it, which none of us would know because god forbid we get a call in advance of the veto, if we knew that in advance, it would be easy to recommit to try to structure something that wouldn't be a veto. If it's going to be a veto, we only have five votes and we're going to be back at the table anyway.

The people in the audience that are in favor of this, it's not an issue of standing up for this particular bill. I think they really want to see the concept implemented. If this is going to be vetoed, which it appears that it might be, what's coming out of the fog that floats over here once in a while, we should try to figure out exactly where we are.

I'm going to support the amendment, first of all. If it fails, I'm going to support the bill.

The Chair:

On the amendment, do we really need the Mayor's office, in all due respect, to start a whole new program? I'm sorry Ms. McDonald. I would rather put it in a fashion --

Mr. Onorato:

Mr. President, Mr. President. On that issue, without the amendment, I think it even gives the Mayor's office more power. The bill says, and it's very clear, that the Office of the Mayor, the Director of Public Safety and the Chief of Police and Fire shall establish. Her amendment is backtracking from the Administration saying let's put a plan so we can evaluate it. I think the amendment goes to your point more. You should support the amendment under your argument. Right now, the bill is telling the Mayor, you do this.

The Chair:

I trust these ladies and Mr. Dorsey

Mr. Onorato:

The bill doesn't say these ladies, the bill says the Mayor. It does not say these ladies sitting in the back who come here everyday, this bill says the Mayor. So, I would argue that we try to pass the amendment. I wish we would recommit, but I'll support the amendment if we don't.

Ms. McDonald:

I don't have body language to figure out how many are willing to recommit because I would withdraw the amendment. I think Councilman Ferlo is on target just to recommit.

Let me just address a couple of things. One, to Councilman Ricciardi, my amendment really does not try to derail the initiative itself. I would respectfully just vote no. I'm not going to try to derail someone's legislation. But, I just want to say that if it's going to pass let's try to do it right. That's all the amendment is. It's not going to be done in a vacuum. The Administration has to be on board with this otherwise it's not going to be real.

Councilman Hertzberg and Mary Hertzberg, what they're doing, forget the fire house thing, I will argue that strenuously. I don't know of too many people under distress that's going to come to a public safety building. They're already scared, why would they come to somebody else in a uniform. I think it's better just to have baskets throughout the neighborhood. Let the city residents take care of those babies. I'll put a basket out. Anyone knows they can come to my door anytime with a baby, a stray dog or whatever. I don't care. I'll try to handle it, I'll try to help to take care of it.

Think about it, a basket on a porch is probably more effective even in terms of sending a message out to those parents. Those parents are walking by fire stations or whatever, those mothers. But what's more meaningful for that mother who is already under distress and scared at the prospect of having that baby is a basket on someone's doorstep, maybe I can go to that person. Maybe these people need to

be registered with 911 or the police department or whatever to handle this, just like the bicycle messenger thing. To register with the Public Safety Bureau, something to that effect. That's all this amendment is is can we just pull back and try to think this through a little bit better.

I think that the city affirming, facilitating in some kind of way, it could be financing, it could be policy, it could be some kind of way if the city is on board. If that's the motive of this Council Body, yes, the city needs to be on board, fine. But, let's do it in a way that is more effective. I would just say vote it up or down. It's not meaning to derail it. It's a way for me to get on board and, possibly, all of Council to make it veto proofed.

Mr. Hertzberg:

I think the hardest problem is the verbal nature of the amendment. A lot of what you're saying sounds okay and certainly I think to pass a piece of legislation that talks about baskets for babies with a vote of nearly everyone here would be much more meaningful than to have five votes.

Can you go through that amendment again? I really don't have a good feel for what it says because I don't have it in front of me.

Ms. McDonald:

Let me just say what it eliminates. It eliminates specifying the director of the Department of Public Safety, the Chief of Bureau of Police, the Chief of the Bureau of Fire, and the Chief of Bureau of EMS. It eliminates those specificity's and just puts the oneriest back on the Mayor that I

don't care who the Mayor talks to, for him or his staff to come back with a plan. A resolution authorizing and directing the office of the Mayor to submit a plan to establish a basket for babies program. If you want you can even put a timeframe in there so we know it's not bologna. You could put 15 days, 30 days to make sure that there is a plan coming back. If there is not effort put back on the Mayor, if he reneges on what our policy is and what our legislation is, then we'll just do it.

Mr. Hertzberg:

I think I'm going to go with the principle, I think, that a strong affirmative vote by this Council on the general issue is probably a better alternative than to have a five vote majority and go along with this amendment. I think it's still in the general spirit that the sponsors support. I don't think we need to recommit this and I don't think we need to hold a public hearing on this bill given what the real goals of it are.

I'm going to support Councilwoman's amendment. It's offered very much in good faith. I appreciate her willingness to compromise, I think, on some of her views here and to try to go along with the well intentions of the sponsors and the other people involved in this program.

Mr. Onorato:

I want to point out one other issue with the amendment and the reason I'm supporting the amendment. With that language, it is conceivable that the Mayor could submit a plan that does not involve any government buildings. It's a plan to submit how to establish it with the baskets. It could be a plan that addresses a liability

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, two things briefly. The Building Inspection and the Law Department had asked for an expeditious discussion to review and a vote from Council on some minor amendments of changes to the Mechanical Amusement Device Vendor Licensure Bill. These are recommendations from the Allegheny County District Attorney's Office. Unfortunately they were not discussed last week and we will be discussing tomorrow. In order to get the printing out so we can collect the vendor fee come January 1, they wanted to ask respectfully if we would be willing to recess this meeting and have a final vote tomorrow assuming everything is fine.

So, at the end of the meeting I wanted to respectfully ask if we could, if there's no objection, that we recess the legislative and have a discussion on this bill to allow the BBI Department to get this vendor bill notice out. So, at the end of the meeting, I will make that suggestion if there's no problem with any colleagues.

Mr. Hertzberg:

That's something that's been riding our committee meetings and I think we just haven't gotten to it because the meetings have taken so long and it's at the end of the agenda. So, I'm 100 percent sympathetic there.

Mr. Ferlo:

Thank you.

Very briefly, Mr. President, I'll try to be brief, but it is important. Councilman Udin spoke about it a little bit when he opened up and talked about what the Mayor had announced regarding a \$10 million dollar allocation by district.

I want to take a little bit of the offensive here because I can see a scenario where the Mayor and I will appear at Arsenal School. In fact, the meeting is the day after the election, November 3rd at 7:00 p.m. at Arsenal School. I will be there. I'm sure whatever residents do come out if they do hear about this meeting there will be a laundry list and many hoped for aspirations of what needs to be done because many things need to be done. But, I will have my own list and I don't need to, necessarily, have a public hearing although I welcome that opportunity to appear with the Mayor and participate in the discussion.

I want to thank the Mayor for agreeing to have the meeting. In order to make it more productive, I would hope that individuals who appear would be very specific and (inaudible) as to what their recommendations are.

I will share what the group initially a laundry list of things that I think are badly needed. This is from daily calls to my office and work that's been ongoing in my neighborhood. It involves everything from commitments to upgrades to some of our parks and neighborhood field facilities to sidewalk repair or metal fence repair in the district that's been under done or lack of completion for many years because we don't have the money. There are some

localized neighborhood improvement projects that have been requested for years that are never going to get done unless we make a commitment with these additional resources that the Administration is willing to commit pending a final vote from Council.

So, I will have a laundry list. I'm sure the Mayor is anxious to hear concerns. That meeting is at Arsenal School on November 3rd, which is a Wednesday, at 7:00 p.m. If you'd like to know what my own concerns are prior to the meeting, call my office and I'll send you out my own list and we can compare notes. I'll try to post it on my web site www.Ferlo.com.

Thank you.

Mr. Udin:

Before we close, Mr. President, I just want to finally remind the public how important it is to get out and vote this coming election. This is one of the most important elections we've had in this city and in this county in a very, very long time. It's important that people get out and make their wishes known especially if they intend to vote yes on the Pittsburgh Works.

Mr. Ferlo:

Mr. President, you know my bias on the Roddy/Wecht race. Obviously, I'm strongly in favor of Dr. Wecht. That's not the issue I want to address right now. I did get an interesting mailing from so-called democrats for Roddy, all 40 of them.

Interesting to note that most of them have lived off of democrats for many

years and it's interesting all of a sudden now they're preaching Roddy's choir. It's interesting because the mailing at the end says how concern Roddy and the republicans are about people. It says, by the way we're behind the Greater Pittsburgh Community Food Bank and when you come to the voting poles please bring a can good. I was a little bit upset to see that somehow the Roddy republicans, the party of Rick Santorum, all of a sudden -- their view historically has been that Heinz ketchup is a vegetable. So, I kind of find it interesting now they're asking people to give food to the food banks. But, that's typical. They don't want government to take some responsibility, they want everything to be a handout.

Having said that, I hope people do bring can goods. That's actually something that we have long supported at the Pirate games, at community religious institutions, at election days. So, I hope this doesn't become a politicization of the issue. I resent the intonation that the democrats for Roddy are pushing any care for low income residents and people in need. That's kind of interesting.

Having said that, if you could get can goods donated, great, but please don't vote for Jim Roddy. We'll go to hell in a hand basket.

Let me say one reason why I'm never going to vote for Jim Roddy, it's a simple story. It goes back to my colleague, Jeep Pasquel (Phonetic), some of you remember him. I could remember Mr. Roddy reaming Jeep Pasquel out because of the issue of patronage because he went out of his way to get some working class family person a job at Alcosan and how horrendous that was that

that was patronage, how dirty it was that somebody was going to get a job because he or she knew somebody.

But, Mr. Roddy, the great capitalist that he says he is, how do he earn his money? He's giving hundreds of thousand of dollars out for no big contracts. He's been on the public teak for a long, but that's not patronage. If you get millions of dollars from Governor Ridge for prison health care, that's not patronage. But a working class person who gets a job at a public agency or a governmental entity because an elected official is trying to encourage employment from constituencies, that's horrendous and bad. That's why I will never vote for the likes of Jim Roddy.

Thank you.

The Chair:

I might make one request for Mr. Hertzberg. If the baskets continue, I would ask you to maybe form a small committee with Ms. Kelly and your wife or whoever's involved to really -- although the basket is very controversial, I think the issue is very, very important. I would rather see it done in small meetings so we'll have all our "i's" dotted and "t's" crossed.

MR. FERLO moved to recess this meeting and meet only tomorrow final forum legislative solely on the vote on the mechanical legislation.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

The meeting is recessed.

Can I have a motion to approve the minutes?

MR. COHEN moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

And on the motion made by Mr. Ferlo, the meeting recessed.

(Reconvened Meeting of October 26, 1999)

UNFINISHED BUSINESS

The Chair:

We will unrecsess Council's Legislative Meeting. Will the Clerk please read the title of the bill?

MR. DIVEN PRESENTED:

Bill No. 2216:

Report of the Committee on Public Safety Services for October 27, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2121:

An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article IX, Amusement

Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.01, License Required; Exception, Section 777.03, Information Required, Section 777.05, License Fees, and Section 777.07, Revocation, Debarment and Contraband Declaration, by adding specific language and additional requirements to further prohibit mechanical gambling devices.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bills are now ready for final action, all those in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor
	(Chair)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Motion to adjourn.

MR. UDIN moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion made by Mr. Udin, the meeting adjourned.

ADDENDUM

Ms. McDonald's comments on Bill 2165 can be found in the Standing Committee Meeting Minutes of October 20, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Monday, November 1, 1999

PRESENT:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

ABSENT:

Mr. Cohen

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one

Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have some proclamations to be read into the record.

PRESENTATIONS

MR. DIVEN PRESENTS:

No. 2217 WHEREAS, in January of 1967, seventeen black police officers met and determined that there was a need for a Black Police Organization and, as a result, on May 28, 1968, the Guardians of Greater Pittsburgh was incorporated as a non-profit organization and;

WHEREAS, the Guardians were organized for the purpose of unifying, strengthening and promoting the welfare of black police officers and the citizens they serve in the community and;

WHEREAS, the Guardians believe in the fair, impartial enforcement of law for all people regardless of color, race or creed and;

WHEREAS, the Guardians of Greater Pittsburgh will host their 31st Anniversary on Thursday, October 28, 1999, at the Pittsburgh Coliseum in Homewood and;

WHEREAS, the theme of the 31st Anniversary Dinner is "Guardians 2000: A Thirty-One Year Celebration of Community Service".

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate the Guardians of Greater Pittsburgh on their 31st Anniversary and their applause their commitment to the communities they serve in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Thursday, October 28, 1999, "Guardians of Greater Pittsburgh Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTS:

No. 2218 WHEREAS, the Pittsburgh Branch of the National Association For the Advancement of Colored People (NAACP), along with the Pennsylvania State Conference of NAACP Branches will be hosting the 65th Annual NAACP State Convention the weekend of October 29, 1999 at the Marriott Hotel, Pittsburgh; and

WHEREAS, over 400 delegates are expected to attend this years NAACP State Convention. Voter Education, participation in the 2000 Census, violence prevention, and addressing HIV/AIDS are among several topics the NAACP plan to

address at the convention. The NAACP is also working to develop a platform that addresses welfare reform, hate groups, police and community relations; and

WHEREAS, the NAACP State Convention, which was last held in Pittsburgh 10 years ago, offers a slate of activities that focuses on youth and education. Also included are workshops, exhibits, vendor displays, luncheons and dinners; and

WHEREAS, this years guest speakers include: Mr. Leonard Springs, Vice President of First Union Bank in Charlotte, NC, guest speaker for the Business persons' Luncheon; Reverend William Curtis, of Mount Ararat Baptist Church, Pittsburgh, guest speaker for the Religious Breakfast; Mr. Julian Bond, NAACP National Board Chairman, guest speaker for the Freedom Fund Banquet; and Jamal Bryant, National Youth Director of the NAACP, guest speaker for the annual youth/college awards program.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh Welcome the 65th Annual NAACP State Convention to Pittsburgh. We recognize and commend the NAACP State Convention for taking a leadership role in preparing our youth and our seniors for the new millennium.

MR. DIVEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTS:

No. 2219 WHEREAS, Kenneth James Kaloz is a member of Troop 256, Steel City District of the Greater Pittsburgh Council; and

WHEREAS, Kenneth was awarded the achievement of Eagle Scout, Scout's highest honor, on April 22, 1999.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Kenneth James Kaloz for his achievement of Eagle Scout.

MR. DIVEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'll ask Mr. Tom Jones if he could please join us.

Mr. Jones, colleagues, because of his knowledge and skills in CPR training was able to save a life on the South Side of Pittsburgh. I also think it sends out another message to all of us the importance of knowing CPR both for our loved ones, our family members and even our colleagues on the jobs. Someday I'm going to save a life here on Council.

MR. RICCIARDI PRESENTS:

No. 2220 Whereas, Tom Jones is a life long resident of the City of Pittsburgh's South Side; and,

Whereas, Tom Jones and John Salamay are both employed by Pittsburgh Industrial Furnace Company; and,

Whereas, Tom Jones received CPR training as a member of the Air Force Reserves; and,

Whereas, after the collapse of John Salamay, Tom Jones swiftly administered CPR; and,

Whereas, the actions of Tom Jones were vital to saving the life of John Salamay; and,

Whereas, John Salamay is recovering due to the efforts of Tom Jones,

Now, therefore be it resolved that the Council of the City of Pittsburgh commends the life saving efforts of Tom Jones.

Be it further resolved that today, Monday, November 1, 1999 will be known as Tom Jones Day in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Tom, do you want to say a few things?

Mr. Jones:

Thank you.

I would just like to say that there is quite an importance for CPR training. I'm glad I had enough. As we get older and our loved ones and family members and friends get older also, it becomes more apparent for the need for CPR. I believe I will attend another class in case I'm thrown into this situation again.

The Chair:

Actually, Linda I think it would be appropriate, if possible, to schedule a class for all of us and not only ourselves, but our staff to have CPR. I've been to a few classes in the City. The paramedics to an excellent job and it only takes about a half hour. So, maybe we can set a date up for all of us to review it.

We have three more to be read into the record.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENTS:

No. 2021 WHEREAS, the U.S. Women's National Soccer Team began at the Olympic Festival in Baton Rouge, Louisiana in July 1985 and captured the first-ever women's Olympic gold medal in August 1996; and,

WHEREAS, since 1994, the U.S. Women's National Soccer Team has been under the coaching of Tony DiCicco; and,

WHEREAS, the U.S. Women's National Soccer Team has fostered the true meaning of teamwork by giving of themselves heart and soul; and,

WHEREAS, the U.S. Women's National Soccer Team's dedication to each other and the team as a whole has brought continued success; and,

WHEREAS, the U.S. Women's National Soccer Team's solidarity was best exemplified at the 1999 World Cup; and,

WHEREAS, after 120 minutes of play, including two overtime periods, the 1999 World Cup had come down to a single penalty kick - provided by Brandi Chastain; and,

WHEREAS, while one kick brought victory for the U.S. Women's National Soccer Team, it is without a doubt, that teamwork has made them triumphant.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the U.S. Women's National Soccer Team on being the best in the world; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish the U.S. Women's National Soccer Team the best during their victory tour and proclaims Thursday, October 21, 1999 as "U.S. Women's National Soccer Team Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS:

No. 2222 WHEREAS, Andy Offerman, son of Joyce and Joop and brother of Weasie, has been a resident of the City of Pittsburgh's Point Breeze neighborhood since his birth on October 31, 1986; and

WHEREAS, Andy Offerman is an excellent student academically and remains very involved in the activities at McEwan School; and,

WHEREAS, Andy Offerman was going to school to assist teachers before the school year started when he stumbled upon the then missing 1979 Pittsburgh Pirate World Series Trophy; and,

WHEREAS, Andy Offerman demonstrated his outstanding good Samaritan efforts upon his return of the 1979 Pittsburgh Pirate World Series Trophy; and,

WHEREAS, Andy Offerman is a hero among baseball fans and the citizens of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and congratulate Andy Offerman on doing the right thing; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does wish Andy Offerman on the occasion of his 13th Birthday and does hereby declare Sunday, October 31, 1999, to be "Andy Offerman Day" in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENTS:

No. 2223 WHEREAS, Taylor Allderdice High School, founded in 1927, has provided thousands of city public high school students with an excellent education, laying a foundation for success that benefits the individual student and society at large; and,

WHEREAS, The Taylor Allderdice Alumni Association raises funds to provide grants for special projects and programs to benefit Taylor Allderdice students and promote awareness of the excellent academic reputation of the school and the achievements of its graduates; and,

WHEREAS, On Sunday, October 31, 1999, at 11:00 AM, at the Pittsburgh Marriott City Center, the Taylor Allderdice Alumni Association will honor those graduates who have distinguished themselves in their chosen fields of endeavor; and,

WHEREAS, the 1999 Distinguished Alumni Awards will be presented to the following Taylor Allderdice High School Graduates:

Marty Allen ('40) Comedian / Entertainer
Selwyn Berson ('46) President (retired)
Pratt & Whitney; United Technologies
Myron Cope ('47) Sportscaster / WTAE
Howard Fineman ('66) Chief Political
Correspondent & Senior Editor /
Newsweek
Dr. James Langer ('51) Physicist
Maxine Lapiduss ('78) Writer / Producer
Sally Lapiduss ('74) Writer / Producer
Dr. Marvin Sleisinger ('41) Physician
/Researcher

Fred Young ('59) Vice President of News/
Hearst-Argyle Broadcasting

NOW, THEREFORE BE IT
RESOLVED, that the Council of the City
of Pittsburgh extends its congratulations to
the 1999 Taylor Allderdice Alumni
Association's Distinguished Alumni
Awardees and commends each and every
one of this year's honorees for their
dedication to purpose, their scholarship
and hard work which has brought honor to
themselves and to their school - Taylor
Allderdice: and,

BE IT FURTHER RESOLVED,
that the Council of the City of Pittsburgh,
in recognition of this event, does hereby
declare Sunday, October 31, 1999, to be
"Taylor Allderdice Distinguished Alumni
Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the
resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

We will now move to public
comments. Anyone wishing to address
Council, please step to the microphone and
give your name and address for the record.
You have three minutes to address
Council.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne Brown. I live
at 2633 Brackenridge Street.

Number one, I'm telling the
citizens to go out tomorrow and vote.
Look at the voting machine before you
pull any buttons. Check in the right hand
corner for the Pittsburgh Works initiative,
we're saying yes.

Also, Mr. Wright is running
against Valerie McDonald. He's
independent, not republic. Also, many
parents are endorsing Mark Brittney, not
Ron Suber because citizens, our school
board is one of the corrupt systems in the
United States. Because of the leadership
under the head of Ron Suber as School
Board President and Chief Fadzen as Head
of Security, he admits that he is a lawyer.

Both of them appeared to believe
that the poor children and black students
are not good enough to be protected and be
given equal educational opportunities in
needed books or even safe or comfortable
school. Remember in 1996 they built
South Hills Middle School, \$2.5 million
dollars. There are five black kids. In
Homewood, Valerie, do you remember,
there were quite a few of our poor babies
that had no heat.

The parents are concerned about
the Pittsburgh Public Board as a
government in itself. We have no way of
checking and/or balancing it. A lot of
parents are looking at the way Mr.
O'Connor stopped the open hearing. I
heard Mr. O'Connor say that the LP,
Lincoln Place, those police that we are
saying should be checked out is from his
area. So, what it was that him and other
Councilmembers probably said there
would be no meetings in anyway
necessary, whatever necessary.

Also, we have concerns about how the Board of Education seems to have a lot of money to give to Heinz, but they cut 37 janitors. Our kids have photocopies for books. Ron Suber has initiated some things to try to close our babies out and bring other children in. We just finally got computers and our kids are progressing. Ron Suber has also backed Chief Fadzen.

You know what a lot of the black people in the community are saying, this white man said that our Afro-American children are monkeys and they should have interactions with monkeys. Now, for a black man to back someone who makes a statement like that, he needs to be checked out.

Ron Suber also helped the rest of the Board when \$60,000.00 came for the need to learn program. These are for computers to be put in the poor schools. He and the board made the decision and not one poor school got any of that money. The more affluent schools did, they got the computers.

Thank you and have a nice day.

The Chair:

Thank you.

Next speaker please.

Mr. Leff:

Good morning.

My name is Scott Leff. I'm the owner and operator of a duplex at 624 Berkshire Avenue.

To the members of City Council, we do not feel that a comprehensive review of the opposition to Council Bill 1928 was conducted at the City Council meeting on October 27, 1999. The following list is some of the ideas that were not adequately established.

Number one, Ms. Eloise Hirsh, the Director of City Planning, answered everyone's questions with the phrase, "I believe" without producing any evidence.

She said that many people changed over to in favor after talking to the contractor and she offered no evidence. Whereas we submitted more than 20 forms sent out by Mr. O'Brien dated September 28, 1999 that voted against this project. We know that there were additional forms submitted by mail opposing this project. We heard no number in favor other than her statement of four in favor and six against. There was no mention of the initial submission of over 200 signatures in opposition. We were never advised as to any number in favor other than the mention of four in favor and six against.

When Ms. Hirsh was asked if the problem of the trucks making the two turns off Trelona Way onto Berkshire Avenue and Castlegate was resolved, she only said, I believe that it was resolved. Again, no real confirmation. We are sure that there will be problems with the bigger trucks coming out onto these streets.

Also, Council President O'Connor also discovered, as we did, there are twice the number of parking spaces as required by the Zoning Commission; thereby, making a bigger footprint than needed.

Ms. Hirsh was instructed by Mr. Udin to conduct more detailed traffic analysis. She said, this would be done after three months of operation by CVS. This is a little too late. There was no positive alternative to the present plan offered by Ms. Hirsh. Mr. O'Connor did suggest that there could be one way in and out as an answer, but there was no commitment to such an idea, if needed nor was there any suggestion made.

The proposed left turn off of Brookline Boulevard into CVS means traffic would cross over a double yellow line, clearly a breach of the law.

We are quite certain that any large truck would not be able to turn into CVS off of Pioneer Avenue without completely obstructing both inbound and outbound traffic on heavily loaded Pioneer Avenue.

We urge you to please reconsider your vote on this issue.

Thank you very much.

The Chair:

Thank you.

Any other speakers?

Hearing none, we'll move to presentation of papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 2224 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Chapter 116: Department of Public Safety, Section 116.03:

Minimum Standard of Care.

No. 2225 Resolution providing for an Agreement or Agreements with a consultant or consultants for the provision of professional services at a cost not to exceed \$25,000, and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Safety Services.

MR. HERTZBERG PRESENTED:

No. 2226 Resolution providing for an agreement by and between the City of Pittsburgh, The Pittsburgh Foundation, a Pennsylvania non-profit corporation, and the Pittsburgh Allegheny County Vietnam Veterans Monument Fund Charitable Trust, in the connection with the transfer of the Vietnam Veterans Monument and providing for the maintenance thereof.

MR. HERTZBERG moved to suspend rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

No. 2227 Resolution amending Resolution No. 60, approved February 17, 1997, effective February 24, 1997, entitled, "Granting unto Patricia Rethage, 131 Hackstown Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, and maintain and use at their own cost and expense, a driveway and guard rail on a portion of the right-of-way on Hackstown

Street in the 17th Ward, 3rd Council District, of the City of Pittsburgh."

Which were read and referred to the Committee on Public Works and Environmental Services.

MR. ONORATO PRESENTED:

No. 2228 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the former Lawrence Paint building and located at 1124 West Carson Street, and all of the property designated as Block and Lot Number 006-H-091, in the Nineteenth Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. ONORATO moved to suspend rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 2229 Resolution authorizing the Mayor and the City Solicitor to transfer funds in the amount of sixty thousand (\$60,000.00) dollars from the Department of Law - Salaries, Fund 1000, Organization 108000, SUB 010, Account 511000, Budget Year 1999 to Department of Law - Miscellaneous Service -

Professional, Fund 1000, Organization 108000, Sub 150, Account 526100, Budget Year 1999.

MR. UDIN moved to suspend rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

MR. MCDONALD seconded the motion.

Which motion prevailed.

No. 2230 Resolution transferring the amount of \$3,000 from City Clerk Miscellaneous Services, Sub Class: 150, Account: 525500, Org: 101200, Budget Year: 1999 to City Council Education and Training, Sub Class 030, Account: 564300, Org: 101100, Budget Year: 1999.-
-SPONSORED BY MR. UDIN)

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2231 Resolution authorizing the City of Pittsburgh to establish a trust fund and the deposit therein a portion of the city's Dog License fee in order to providing a funding stream in support of the Department of Parks & Recreation's Off Leash Exercise (OLEA) Program.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. RICCIARDI moved to suspend rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill

was introduced so that the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

No. 2232 Resolution repealing Resolution 192 of 1995 entitled "Providing for the letting of contract or contracts, or the use of existing contracts for Play Area Safety Improvements for the Department of Public Works, cost not to exceed \$250,000.00". **(SPONSORED BY MR. O'CONNOR AND ALL MEMBERS)**

No. 2233 Resolution further amending Resolution No. 973, effective January 1, 1995, entitled, "Adopting and approving the 1995 Capital Budget and the 1995 Community Development Block Grant Program, and approving the 1995 through 2000 Capital Improvement Program," by decreasing Play Area Safety Improvements, Primary Project Number 2249211 by \$250,000. **(SPONSORED BY MR. O'CONNOR AND ALL MEMBERS)**

No. 2234 Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization" line item by \$180,000.00. **(SPONSORED BY MR. O'CONNOR AND ALL MEMBERS)**

MR. UDIN moved to suspend rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bill

was introduced so that the bill will be on the agenda this Wednesday.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Is there any unfinished business coming from the Council?

UNFINISHED BUSINESS

Mr. Ferlo:

Very briefly, Mr. President.

I wanted to extend to you and to Council a formal communication from the Pennsylvania Department of Conservation and Natural Resources. This is in regard to a Council resolution of over a year ago where all of Council supported me in a community effort to improve Point State Park with, specifically, the goal of the creation of the Pittsburgh Peace Garden.

After a year, thanks to a lot of good efforts from several organizations in the community and the friends of the Riverfront, Peace Links, Positions for Social Responsibility and others, I know you attended the last meeting, Mr. President. We did get final approval from the state who has authorization, ultimately, who what gets instructed or embellished at Point State Park.

So, I'm very pleased that the State has approved both the concept of the Peace Garden and the initial drawings that were developed by a local Pittsburgh architect and someone who is also a landscape architect, Mr. Hanson.

We're looking to move full steam ahead. This will be an area that is in Point State Park. As you come through the underpass going towards the Point, when you bear right to go towards the pedestrian walkway to the North Shore there's an amphitheater type of bluff overlooking the area. That would be the area where this Peace Garden would be constructed.

I just want to thank everybody involved. For the record, I would like to have this submitted as part of their minutes today. I will keep Councilmembers informed.

I think a number of representatives are also attempting to meet with Councilman Udin also to bring him up to date on what's hoped for here. I hope to be able to assist in the fundraising that will be done by the community for the installation of the Peace Garden. I'm hoping that the Administration and the Mayor will be supportive with the Department of Public Works and the Department of Engineering and Construction in the City helping out with, at least, some of the initial infrastructure repairs.

Thank you.

The Chair:

I would ask you to possibly update Council in writing and maybe show them the map. I'm sure Mr. Udin, if he hasn't seen it, will play an important role in that project.

It is in a perfect place and it's a very peaceful place for a Peace Garden. It looks like a very good use of that property.

Ms. McDonald:

I want to update Council on the override of the Mayor's veto of the legislation that would mandate that good faith efforts be expended towards hiring city residents at a capacity of 35 percent over a 5 year period of businesses that receive one million dollars or more of public subsidies, commonly referred to as TIF.

I will be drafting a letter to all the legislators, particularly of our Southwestern delegation, the House and the Senate to allay their fears. Again, I think this is a wonderful -- I really wish I would have access to some of the strategies, the marketing strategies, to the defray something that is going to help people who have long needed the help. That's people that live right here in the city and are struggling to maintain themselves in the city and struggling to meet their taxes. This is to help anybody and everybody who comes into this city to receive the quality of services that are received.

But, nonetheless, I will be writing letters and faxing it to all of our legislative body as well as to the Mayor and to respond also to all the hype. I think if there is any definition of hype, this has got to be it.

To read in the paper a con job, I guess we're conning people who basically need work. It's a sad state of affairs. I mean, I just don't know what's going on here when there's so much animosity and so much hype around trying to help people who surely need it. What are we, back in the '50's here fighting for just basic rights for people. I swear, it's like deja vu all

over again. We're in the '90's about to be in the millennium, in the year of 2000 and we're still agonizing and whining and crying and justifying why we shouldn't help people. Why we shouldn't do the right thing. I'm just pleased that this Council Body decided to override the veto and move forward.

Again, I'm going to attempt to work with the Mayor's office, since I worked with the Mayor's office to draft the legislative. It's actually ironic that the same entity that would help me draft it is the same entity that says, we don't want this, we'd rather this just placate business and let them do whatever the heck they want to do.

The corporations that were cited actually, some of them, particularly ALCOA and one that isn't mentioned, Heinz, are some of the biggest TIF's. Home Depot that's coming down the pike, this is a non-issue for them. They already do the right thing. They already hired a lot of city workers. They already work with the city government.

I basically thought that this ordinance would be directed at those who don't quite get it, who don't quite understand that if you use public dollars, you're going to have to have some kind of quit pro quo to put back to the tax base that you're taking from. You can't keep taking and taking and taking and taking.

Actually, I think this is ironic to see this type of editorial. I'm very disappointed. That's all I can say, I'm very disappointed that it's termed a con job to only ask for a lousy stinking 35 percent in good faith efforts, it's not even a mandate. And they continue to hammer

at this legislation in a very false manner. It's in black and white, it's in the king's language, English, read it. There is no penalty for not, necessarily, meeting it. There's penalties for lying and there's penalties for failure to try to meet this 35 percent goal.

There's penalties for snubbing any good faith efforts. That's what the penalty is. The penalties will be for arrogance, the penalties will be for disrespect, the penalties will be for lying and the penalties will be for taking without even trying to give back. That's what the penalties are for.

Again, I guess maybe I should fax the legislation over to the PG so that they can read it themselves, maybe they don't have a copy either. I'll fax it to everybody who needs it so they can read it themselves. I'll even forward and highlight the areas that maybe there's confusion about.

Again, I'm moving forward with this. I will be possibly even meeting with our delegation to allay their fears and to try to enjoin them that this not parochialism, this is not isolationism, that this is basically an effort to try to get more city residents employed, not with a hammer over their head or a stick, but by simply legislating it through this Council Body that they have to show good faith efforts. No longer can they sit back and say, oh well, we can't do it. They have to try, they have to try. The mandate is to try and I really don't think that's a lot to ask for.

So, I'll keep you updated. Thank you.

Mr. Udin:

Yes, I want to associate myself with the comments of Councilwoman McDonald especially with regard to the reluctance of people who claim to be representing the interest of residents of the city and who claim that they want city residents to be able to access employment but, at the same time, they abhor legislation that would require contractors to do so.

This kind of reminds me of the tobacco manufacturers who don't want any legislation requiring that the dangers associated with tobacco use be placed in ads and on cigarettes, but they would rather have it done voluntarily or the gun manufacturers who claim that they would rather have gun controls done voluntarily, but they don't want to have it mandated. If they really did support these measures, then they would not oppose the mandatory requirements that all manufacturers of guns and all manufacturers of tobacco be required to adhere to the standards. It's because they really do not support the end result just the same way that these people who oppose the TIF legislation and the people who oppose Pittsburgh Works, they really do not want Pittsburghers to have a fair chance at employment because they would not otherwise oppose the legislation.

They've come out in opposition to Councilwoman McDonald's bill even though she has made it clear that her legislation deals with the post-construction jobs, it has nothing to do with construction. But, if you look at the letter sent by Senator Tim Murphy to Mayor Murphy, his entire letter, with the exception of the first sentence, referred to construction jobs because it was aimed at

Pittsburgh Works, not necessarily the TIF legislation that Councilwoman McDonald sponsored.

I was really saddened to see that the Mayor's letter vetoing Councilwoman McDonald's bill used the exact same language as Senator Tim Murphy's bill that was written in opposition to Pittsburgh Works. I didn't know Senator Tim Murphy was writing policy positions for the Administration. I find it very unfortunate. He's a suburban state senator and I can understand him trying to stand up for the domination of these jobs by suburbanites, but I would expect people who are elected by residents of the city to stand up for residents of the city as Councilwoman McDonald has done.

So, I was proud to override the veto and I'll continue to override any attempts to prevent the City of Pittsburgh residents from having a fair opportunity.

I hope everybody will remember that the Pittsburgh Works referendum is on the ballot this Tuesday. You have to walk into the booth, look in the upper right hand corner and vote yes for Pittsburgh Works and then proceed to vote for your candidates.

Thank you.

Mr. Ferlo:

Mr. President when George Washington was leaving office, he got upset and would comment as he was leaving office about the editorial boards of the newspapers at the time. He said, basically that it would be a lot better if the newspapers at the time would just print verbatim the words of the Congress

instead of engaging in scurrility and non-sensical public declamations.

That's basically what the editorial boards of the Roddy Review and the Roddy Gazette do every day. I don't know why once they couldn't engage this Council, invite us to participate in an editorial board discussion prior to these ridiculous editorials that come up that half the time aren't even factually correct. I don't mind if they have an alternative view, I respect that oftentimes. But, at least, if they would factually get some of the basic information correct, that would be, at least, a step in the right direction. I don't know if they did afford Councilwoman McDonald an opportunity to speak prior to the con job editorial and the others, but it would be great.

Ms. McDonald:

No.

Mr. Ferlo:

We know that basically, both republicly owned and controlled newspaper basically believe in the Reganomics of the trickle down philosophy. I think most people in this town and in this city, especially the working people that I represent, quite frankly are tired of being trickled on. If we're going to utilize our valuable tax dollars -- maybe the Post Gazette would be happier if we just put it to a ballot question. Maybe we should actually go back out to our elderly property owners and the small business property owners in and around the 55 square miles of the city and ask them how they feel about Tax Increment Financing. Maybe we should ask them about do they agree that we

should forego future tax revenues (that means you're going to be hit with more taxes at some point once Mayor Murphy wakes up and actually wants to balance the budget). Maybe we should ask these property owners if they want to pay more freight in the future as the result of the hoped for intended policy of Tax Increment Financing.

We have consistently, this Council, myself included, supported the big projects with Tax Increment Financing. But, it's getting harder and harder to do that. If we can't see results and benefits, not just short term construction trade jobs, which are very important and which I'm very supportive of, but we have to be involved in the post employment reality. Because the fact of the matter is many of these big TIF developments that we have done disproportionately have helped non-City of Pittsburgh residents. The facts speak for themselves. Unless oftentimes there's service related industry jobs, we have a better shot of city residents more likely being employed. Unfortunately, those jobs oftentimes are at the lower realm of the employment ladder.

So, disproportionately, if you do a critique and an analysis of the post-employment for most of the TIF's, ALCOA on down, you will find that people who do not live in the city have benefited. That is certainly the case with the \$60 million dollar investment into the Second Avenue J&L Technology Center site.

Now, the same editorial board tomorrow when Professor Ralph Bangs comes out with the Benchmark Report from the University of Pittsburgh, they'll be the first ones to say what a great report

it is, how terrible the city is that we're not providing some equitable opportunities and how we have these have and have nots within the city proper. Could they just be a little bit more thoughtful. Is it so unreasonable Councilwoman McDonald and the majority of Council, with this bill, suggest that for a disproportionate investment of 35 percent plus, that we get some commitment from these companies who are greatly benefiting from the public dollar, a commitment that they provide an opportunity. It's just an opportunity; it's not even a guarantee.

The editorial board is making it sound like all you have to do is show up at the job employment office of these TIF's and you start work tomorrow. That's not the case. We're just saying, in order to deal with the harsh reality of disproportionate employment and under employment and disadvantage employment, that we use our public dollars as an investment and not rely on some nebulous republican trickle down theory but that we hope for and plan for and want some remedy of post-employment for City of Pittsburgh residents.

Councilman Udin is correct, the Senator Tim Murphy letter, which I assume was requested by the Administration in defense of his veto, basically is speaking to the philosophy embodied in the Jobs Work bill, not specifically the TIF bill. There's an easy way to remedy that, too. If the state legislature would allow us to raise the occupation tax to \$50.00 or \$60.00 and give our residents a rebate, we can restore some revenues and we would be less and likely to be inclined to be so preoccupied with the employment. Where we're only

getting a \$10.00 occupation tax versus having a city worker, we actually enjoy some earned income tax to the school board and to the city coffers.

But, I keep hoping for rationale from the editorial boards. I'll probably leave office before that happens.

The Chair:

I was disappointed when I read the editorial board. Again, whether you're for or against an issue, we can always respect each other's opinion. To have it that wrong, then they actually went into saying the jobs were only clerks, counter help, and janitors. We want more than that, but if that's all it is, you won't even give us that.

So, again, as you said Ms. McDonald, why not at least call us and see if they have their facts right. I'm very disappointed. Again, you have people talking about building walls around the -- in fact, I haven't had one call from any business person, I don't know if you have, whether it's the big company or the little company, that opposes it. One or two suburbanites criticized it. After you explain it, maybe you'll at least get them half-way. Certainly, when they read the editorial, which most people think is the bible, it really puts us in a negative position.

I would urge you to maybe set the record straight and send a letter to the editorial boards and the Pittsburgh Business Times, too so that they would know our position.

Anything else under unfinished business?

Mr. Ferlo:

We're waiting for Mt. Lebanon to TIF something so maybe we can go get some jobs out there.

The Chair:

Do the streetcars and buses still run that way?

Just like the airport, the big airport. All this money, but no transportation. Unless your family has two or three cars, you had no opportunity to get those jobs.

That's another debate.

Anything else under unfinished business?

If not, we'll move to the Committee Chair Reports.

Mr. Cohen had his ready and he's going to do it next week. I think it's very important, his TCI report. We'll move to Ms. McDonald.

COMMITTEE CHAIR REPORTS

Ms. McDonald:

Who's not quite as ready.

It's going to be short simply because there's a lot of development that is ongoing and we discussed it week after week in the Standing Committee.

Just to highlight some of the areas in my own district, I'll just read what the Urban Redevelopment Authority had faxed to me as an update.

As of October 28th, for the Home Depot site in East Liberty, we received two complaints from adjacent property owners on East Liberty Boulevard and referred them to Equitable Gas who is extending a gas line to the Home Depot site. A meeting between Mr. Vento, his architect and Home Depot is scheduled for this Thursday, November 4th to discuss Mr. Vento's concerns.

Overall, progress in the past two weeks has been good, weather has cooperated. The main building roof has been completed and exterior block masonry work is proceeding. Work on the Vento building is progressing. The roof was being completed this week. The interior finishing work is to begin shortly. Because of earlier weather and sub-surface problems, the project opening is now scheduled for January 18th of the year 2000.

Bids were opened for the public space improvements around this site on October 28th and are being reviewed by the URA Engineering Department. That's for the Home Depot.

The Chair:

Everything will be open on the 18th?

Ms. McDonald:

The 18th, January 18th of the year 2000, Council President.

Also for the new Pennley Place, construction for Phase I, which is 102 units, those are the facades and the structures that you see very regularly when

you're coming into East Liberty from either Penn or Negley. Construction is approximately 75 percent complete on the 102 unit first phase of the development. This area is bounded by Penn, Negley and St. Clair and the extension of Broad Street.

Construction is scheduled to be completed late this year. In fact, I was invited to a tour and it's within a week or two, I think it's this week. Also, for Phase II, which are 34 units, low-income housing tax credits to support the 34 unit mixed income development. They're still trying to garner all of these credits and get the funding in place. There's also going to be 38 affordable elderly units that will compliment Emery Methodist Church senior development, behind their church structure.

Lastly, the Jewish War Veterans. You always go by Washington Boulevard, I know Councilman Ferlo has asked questions about what's going on there. They're going on. The demolition, partial demolition, is there for a 48-bed facility to serve formerly homeless veterans. The preliminary design is complete. Funding commitments are still being obtained to enable the project to proceed. The total development costs are estimated to be \$2.9 million dollars. So, it is proceeding, but it's slower because they're still trying to get the funding in place. Again, it will happen. I guess, be patient.

That's all I have, Mr. President. The next TIF Committee Meeting you'll get e-mailed. Of course, there'll be a letter faxed as to when.

Any questions?

The Chair:

I just have one question on the Washington Boulevard project. I was presuming that that was all thorough money and they had all of it. If they don't I would urge --

Ms. McDonald:

Most of the money is in place. It's not a real problem. It's not going to be a real problem. If they do, I know Mr. Singer will yell and let you know. He's lobbied Councilmembers before and he knows how to get this done. I'm supporting him because I want it done, too. I think it would be an asset. So, I haven't heard from him. I guess that's good news.

The Chair:

Thank you for the report.

Mr. Udin:

I just had another piece on unfinished business that I wanted to raise.

A few weeks ago we were pleased to have in our City Attorney General Janet Reno who came to talk about a national initiative on tracking guns and reducing gun violence. Before she came and since she has come, our neighborhoods continue to be riddled with gun fights and gunfire. This is certainly true in many parts of my district and in other parts of the city.

I just want to again urge the Administration to come up with a strategy, a plan, and a taskforce that is broad and comprehensive and effective that brings in the ATF, Alcohol, Tobacco and Fire Arms Administration, that brings in the FBI, that

brings in the US Attorney's Office, that brings in the Justice Department, and the Sheriff's Office. We need a really broad comprehensive law enforcement strategy aimed at making a significant and prolonged and sustained and effective counter attack against crime and guns and drug trafficking in these neighborhoods.

I don't see how we can just sit and listen to the news as though we are on the sidelines observing. We really have to come up with a strategy. This is not the criticism of the hard work that Chief McNeilly does and the other officers in the Pittsburgh Police Department or the efforts that the Mayor has conducted thus far, it's just not enough. We have to be smarter than the bad guys, we have to be bigger than them, we have to be badder than them and we have to put together a strategy that works.

I'm just frustrated sitting at home watching on television the news reports of gun fights and shoot outs in the streets and not able to know, with any kind of confidence, what the City of Pittsburgh is doing to counter attack the gun trafficking, the drug trafficking and all of the death and destruction that comes in its wake. It's very frustrating.

I know that every time I raise this question about all this drug trafficking, Chief McNeilly is quick to say, yes, but it takes community involvement and community support. The community is available to be supportive. But, the community does not have law enforcement power, we don't have arrest power, we don't have badges, and we don't have guns. I think the community has done a lot to reduce crime in its community.

Especially in gun trafficking in residential areas, communities have done a lot.

Valerie McDonald in her district, they've had marches, they've had meetings. They are on board and ready to do their part. But, the part that is lacking is a law enforcement strategy that is effective and that works.

I will be available to do anything I can to help with this strategy. I'm not just criticizing it and not making myself available to help. I will be available. I believe that every member of this Council will be available. There has to be a prolonged and sustained strategy that keeps these bad guys on the run, that puts them on the run and keeps them on the run and drive them out of our neighborhoods.

Thank you.

The Chair:

You must have been ease dropping on my office. We are setting up meetings. I agree 100 percent with you. We have the DA who's always urging to get involved more with us.

When you have a shoot-out just across the street from the area that we're talking about on Washington Boulevard. Imagine your family going in and buying gas or a pack of cigarette or a quart of milk and there's a shoot-out because there's an argument. It's almost a brand new facility. It's certainly going to send a negative message to anyone who wants to go there except if you're forced to.

It's almost like the drug taskforce, every time I call or say something publicly, it's Councilman we're working on it, we

have undercover and we're real close. Well, I've been hearing that for a couple of years. The officers do a good job but something's missing. I don't know what it is and I'm not blaming one individual or the chief, but I think together we're missing something here in Pittsburgh. We know who has the guns and there should be ways to get them off the streets. I know people who have them and I'm not talking about the honest nice people that have them. We're talking about the bad guys or young people who have no business or no license getting a gun. I'm told it's easier to get a gun than a six pack. So, we haven't done our job.

You can have Janet Reno and Bill Clinton. I heard about Mr. Clinton's 100,000 cops for how many years and 100,000 teachers. I don't know, do the Pittsburgh Public Schools have extra teachers yet? It may sound great to have these big press conferences, but we don't have the results.

The commitment probably starts with us. I'm in agreement with exactly what you said. We've been working on setting up a post agenda just a follow-up. I know we can't expose everything that's going on in a public meeting, whether it be public or private, but we need better answers. Not that we're going to solve the problem overnight, but are we moving in the right direction? Just because there's no shootings for a month, we can't pat ourselves on the back because then all of a sudden all heck breaks loose two weeks later.

So, I'll be glad to work with you and other Councilmembers on how we bring these forces together and know we have the resources, the money and where

it's going. Making sure we benefit, especially in our neighborhoods.

Mr. Ferlo:

I hate to be the radical here, but since you're all being so philosophical, I'd like to be philosophical and very common sense. That is, the war on drugs is over, we lost, they won. We should decriminalize drugs in the society including marijuana. We should spend the billions of dollars instead of building jails and ruining people's lives and having police officers and innocent people killed, we should get real in this country, look at it as an economic political issue that it is. We should decriminalize and we should spend those billions of dollars on drug treatment and prevention and education and reinvestment into our neighborhoods and reinvestment into families and people's lives. But, that's not going to happen in my lifetime. So, we're going to go on killing each other, having a gun culture because it's an economic issue and people are protecting turfs. But, nobody ever wants to have any honest discussion about drugs and guns. So, that's why I'm opposed to any gun laws to ban anything on guns because it's a waste of time, we're all living in a dream world. We should get real and debate and move on the issue of drugs in the society. The same debate that took place at the end of the era of prohibition in this country. That, in no way, is condoning drug use or alcohol abuse.

The Chair:

As far as the treatment, you may have read last week about St. Francis Hospital losing some money. They failed to say that last year we made \$22 million

and this year we lost. So, most of the lost was cutbacks in treatment for all the people who either have mental problems or drug and alcohol problems. When people come in, the money is going somewhere else.

Mr. Ferlo:

Because the money is going to jails and drug taskforces that can't do anything.

Every person who I've tried to help, family, friends and constituents in my council district, everybody I have personally tried to help and my office has tried to help, with both abuse of drugs and alcohol, my road block is job opportunities, counseling, mental health, all those kinds of supportive services that nobody cares about and nobody's interested in.

So, if you want to keep your drug on war going, great. But, give me some resources to actually help individuals and families. That's what I need.

But, this country does not want to get real about the issue because there's so many judges and so many politicians and so many corrupt police people, nationally and internationally, that are involved in the economics of the drug trade, that we're never going to be real in this country about the issue. So, we're going to have all these great speeches.

The Chair:

Well, let's send a message to some of the people that don't want to help people Pittsburghers get jobs to, at least, give us money to help those who need help. They really cut back on that.

Moving onto Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2235:

Report of the Committee on Finance & Budget for October 27, 1999, transmitting three resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2139:

Resolution providing for an agreement with a Consultant or Consultants for professional services supplied to City Council, in the amount of \$100,000.00. **(SPONSORED BY MR. O'CONNOR)**

Which was read.

Also,

Bill No. 2140:

Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization" line item by \$50,000.00. **---(SPONSORED BY MR. O'CONNOR)**

Which was read.

Also,

Bill No. 2185:

Resolution providing for an Agreement or Agreements for Stenographic Reporting Services in connection with the Committee on Human Relations Public Hearing(s) and providing for the payment of the cost thereof, at a cost not to exceed Four Thousand Dollars (\$4,000).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Concerning the TIF legislation, we will have an executive meeting before we go out for any contracts and highlight what we all agree that we want done and making sure our dollars are well spent and everyone has input on the results.

Mr. Ferlo:

On this bill, I would ask that there be an advisory board committee where each one of us can appoint somebody to sit on that. I would ask that whatever we need to do to forward you the name of the individual and when the meeting will take place, I'd appreciate it.

Thank you.

The Chair:

Again, I'm not opposed to an advisory board. I don't know if we need 11 or 12 people. That's why I'd like to have an executive meeting to determine

how would you streamline that and make it work. Let's see if we can get to the bottom and get results.

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2236:

Report of the Committee on Public Works and Environmental Services for October 27, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2184:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for Pest Control

Services/Rodent Baiting at various CDBG locations throughout the City of Pittsburgh, at a cost not to exceed \$224,200.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bills are now ready for final action.

All those in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

The bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 2237:

Report of the Committee on Planning, Zoning & Land Use for October 27, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1928:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A Zoning District Map No. 9 by changing from "R1" ("RSD-2") One Family Residence District to "C3" ("LNC") Local Neighborhood Commercial District all that certain property bounded by Pioneer Avenue, Trelona Way, Lot 80, Block 62-R in the Allegheny County Lot and Block System and Berkshire Avenue, 19th Ward. (HEARING HELD OCTOBER 20, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

Mr. Udin:

I intend to vote for this because I want to follow the lead of the Council representative for the neighborhood and for the district. But, I do want to express my concern about the consistent opposition in the neighborhood. The testimony that was made this morning as well as at the public hearing and at the last

Standing Committee meeting. I just don't think it should be ignored.

The Chair:

Mr. Diven and I spoke before to have a three-month review of all the issues. I think the main issue is traffic. If there need to be adjustments, I'm sure he would work with the company. They've committed to agreeing with you whatever needs to be done.

Mr. Diven:

Just in rapping up my comments, I believe that initially there was some very strong opposition. I think that the developers spent a lot of time trying to work with the neighborhood and people in the community to build a consensus in support for this plan. I think they've come a long way in accomplishing that.

Also, I understand that there might be some continued opposition, but I do think, in my opinion, the overwhelming majority of the people from Brookline are in support of this project. So, it's with that direction that I'm asking for a favorable recommendation on this legislation.

The Chair:

The bills are now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven **NOES** One

(Mr. Ferlo voted no)

The bill has received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I'd like to mention that the Standing Committee Meeting instead of Wednesday will be Thursday at 10:00 a.m. There's a public hearing the same day, Thursday, November 4th at 2:00 p.m. concerning the historic structure on Beacon Street in the 14th Ward.

Mr. Ferlo:

Wednesday evening, this coming Wednesday evening, November 3rd, there will be a meeting at Arsenal School at 7:00 p.m. This meeting has been called by Mayor Murphy. It's one of his town meetings on this issue of neighborhood infrastructure and improvements and repairs are needed specifically with his commitment to Council that he will support an expenditure of Council for some of the fund balance going back into neighborhood improvements and investments.

I have a laundry list of projects that have been in the works or need to be in the works based on community concerns over the last few years, they have to do with the parks in Council District 7, basic infrastructure such as ornamental fence repair and painting, an idea on the creation of a homeowners new sidewalk replacement. I'd like to see a low cost-revolving loan for the elderly and other lower income property owners who need to make investments in the front sidewalks. I'd like to see that kind of an idea explored. Every council district and, certainly, mine has various concrete and wood step replacement that's needed around the district in Lawrenceville and Polish Hill, in particular.

I'd like to see a commitment on the school crossing signs. Most of the signs date back many, many years. They're not that visible anymore, they're not large enough, they're not brightly colored, they don't flash appropriately and some of them are not located in the right location. So, I'm trying to make a one-time investment in all the public and parochial school, crossing, flashing signals around my district. There's a need for the Bigalow and Herron pedestrian underpass.

When you add all these up, it's a little bit over a million dollars. I am asking my colleagues to support one idea, that is, I'm not targeting out of this million dollars any extra money for demolition of vacant buildings and structures. I'm asking Council to consider a one time, at least for this year, a \$4 million dollar amendment to the City's capital budget either with capital bond funds or with community development block grant dollars and make a \$4 million dollar commitment towards demolition of vacant

and condemned buildings. That we prioritize them with neighborhood input especially where you have condemned structures that are directly connected with the house or those where the adjoining property owners are living but have lost their fire insurance. I'm also asking, and to the credit of Mr. Costa, he is reviewing our proposal on utilizing the annual B contract as a way of expediting some of this work and being more effective and cost effective. Also, that in certain instances some of our trade people might be able to be involved if it's appropriate.

So, when you look at the laundry list, I will have a copy of it Wednesday night at the meeting. Obviously, this is all for draft purposes and discussion. I look forward to hearing the concerns from the residents.

Again, that meeting is Wednesday night at Arsenal Middle School in Lawrenceville. It's for neighborhood issues in the various neighborhoods that I represent in the City Council District 7.

Thank you.

Ms. McDonald:

I have two issues. One is to make a motion to cablecast two of our public hearings. On Tuesday, November 9th, personally because of this (inaudible) with trying to do the best with our TIF's that we can possibly do if we have to give public subsidies. I think in the future, I would like to make a motion to cablecast future public hearings that relate to TIF's. Bill No. 2092 is for the North Shore, East River Avenue TIF's, that's one.

This one is for Councilman Ferlo. But, I would defer to the sponsor on Thursday, November 18th, his bills that involve the allocation of \$10 million dollars for neighborhood infrastructure and the development of the neighborhood infrastructure improvement commission. I would defer to Councilman Ferlo, the sponsor.

But, for Tuesday, November 9th, I would like to make a motion to cablecast that public hearing.

MR. DIVEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Councilman Ferlo?

Mr. Ferlo:

I agree.

Ms. McDonald:

Thank you.

I think it's important. Thursday, November 18th at 10:00 a.m., a motion to cable cast.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

The other item is about election day. The Black Women's Political Crusade and Mt. Araret Baptist Church will be providing drives to the polls all day tomorrow. A lot of people are saying

what's the phone numbers we want a ride. Again, the phone numbers are 261-2737 or they can call 441-1800. That's the Black Women's Political Crusade collaborating with Mt. Araret Baptist Church who have vans. My understanding is that there's been a call to all the churches, particularly, in the African American community where we need to have a higher voter turnout, is to offer your vans for assistance for people who would need rides.

Also, BPEP, Black Political Empowerment Program, along with the CISP, the Community Intensive Supervision Program, will be providing rides to the polls through the Pittsburgh NAACP branch office. That was publicized in the paper. Ms. Charlene Saner heads that initiative and she also radio casted that. The number is 471-1024.

Lastly, if you see in the paper today, Port Authority Access will be providing rides for senior citizens and disabled persons. That number is 562-5353. That is in the Tribune Review as far as being advertised.

I would hope that all committee people and I'm speaking to most of our committee people in our district, that's democratic committee people, if you're at the polls tomorrow, I think you're wrong. I think you're dead wrong on this. We don't need to have a party at the poll. We need you to work and get some footwork in place, go to people's homes, go to homes or houses wherever you can to find people that really need to vote. If they're not there, leave a letter or leave a reminder for people that when they do get home that the polls are opened until 8:00 p.m.

It's up to the committee people to pull people out. If they think that we're going to make a difference, they're going to have to do more foot work.

Tomorrow, again, I may stop in a couple of polls and say hi and that's it. I'm going out and I will be leaving literature. I will be having a hat and shirt and everything else on. I may go to the busway, I don't know what I'm going to do. I'm going to be everywhere tomorrow acting like a fool to get people out to vote. I will also have these numbers with me. You can call my office if you want. We will coordinate to make sure that people get out to the polls.

That's all I wanted to say, Council President.

The Chair:

I think we're hearing a strong message. Please everyone this is a very, very important election. I urge everyone to get out to vote. If you need a ride, I'm sure any of our Councilpersons will help. I'm sure we all have resources all over the city. So, please get out and vote. I think it's very important and access is available.

If there's nothing else, I need a motion to excuse the absent member.

MR. HERTZBERG moved to excuse the absent member.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to approve the minutes?

MR. ONORATO moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

That's all I wanted to say, Council President.

The Chair:

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MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

The Chair:

Mr. Diven and I spoke before to have a three-month review of all the issues. I think the main issue is traffic. If there need to be adjustments, I'm sure he would work with the company. They've committed to agreeing with you whatever needs to be done.

Mr. Diven:

Just in rapping up my comments, I believe that initially there was some very strong opposition. I think that the developers spent a lot of time trying to work with the neighborhood and people in the community to build a consensus in support for this plan. I think they've come a long way in accomplishing that.

Also, I understand that there might be some continued opposition, but I do think, in my opinion, the overwhelming majority of the people from Brookline are in support of this project. So, it's with that direction that I'm asking for a favorable recommendation on this legislation.

The Chair:

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin

Mr. O'Connor
(Pres't)

AYES Seven **NOES** One

(Mr. Ferlo voted no)

The bill has received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS**The Chair:**

I'd like to mention that the Standing Committee Meeting instead of Wednesday will be Thursday at 10:00 a.m. There's a public hearing the same day, Thursday, November 4th at 2:00 p.m. concerning the historic structure on Beacon Street in the 14th Ward.

Mr. Ferlo:

Wednesday evening, this coming Wednesday evening, November 3rd, there will be a meeting at Arsenal School at 7:00 p.m. This meeting has been called by Mayor Murphy. It's one of his town meetings on this issue of neighborhood infrastructure and improvements and repairs are needed specifically with his commitment to Council that he will support an expenditure of Council for some of the fund balance going back into neighborhood improvements and investments.

MR. FERLO seconded the motion.

THE CHAIR

And on the motion made by Mr. Ferlo, the meeting was adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCO Deputy City Clerk

Pittsburgh, PA
Monday, November 8, 1999

PRESENT:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

ABSENT:

Mr. Ferlo

The Chair:

I would like to ask Councilwoman Valerie McDonald President Pro Tem and Councilman Dan Onorato, serving his last Financing Budget Meeting and very well for his last eight years, to accompany the Mayor into the Chambers, please.

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests with us, Miles Jackson is a 3rd grader at Linden School and he's accompanied by his parents. Sara Rosenblum is a 2nd grader at Linden School and she's accompanied by her sister and her parents. They live in Councilman Cohen's District. They will lead us in the pledge of allegiance.

Miles Jackson & Sara Rosenblum:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

We have a special gift for you from Council. It's a flag of our city and our country.

At this time, it's my honor and privilege to introduce the Mayor of Pittsburgh, Tom Murphy for his year 2000 budget address.

Mr. Murphy:

Good afternoon. Thank you for all joining us.

Council President Bob O'Connor, members of Council, Controller Flaherty,

public safety officials, directors, staff and Pittsburghers, another budget. I'm proud today to stand before you to report that we are moving into the first budget year of a next century with the state of our city stronger and the mood of its citizens, better and more upbeat and more hopeful than we've seen in many years.

There's a new energy building in our neighborhoods, in the city center and in the region beyond. What I'd like to refer to as the new Pittsburgh momentum. This is one more validation of the ambitious course we all laid out at the beginning of this Administration, to transform Pittsburgh into an economic powerhouse in the 21st century without sacrificing its special quality of life.

A decade from now, I want to be able to take a run through any city neighborhood, assuming my knees hold out, and see the legacies that we will have created. I want to see children and parents enjoying the playgrounds that we've all worked so hard and diligently to build and renovate. I want to see seniors feeling safe and secure enough to walk around their neighborhoods at any hour. I want to see young professionals from all over the country coming back to Pittsburgh to move into one of our neighborhoods and take advantage of the great job opportunities. I want to see city services being performed effectively and efficiently. I want to see block after block of attractive, well-kept homes, apartments, condominiums and lofts that fit every variety of lifestyle. I want to see an expansion of the city's loyal downtown residential community. I want to see a district with thriving business communities benefiting from a robust economy. I want to see a city government

that returns top-notch services to those communities for the tax dollars we take in.

The \$352 million dollar operating budget I introduce today builds toward those legacies. We'll all be able to point with pride a decade from now if we stay true to this budget's goals which includes: Continuing the difficult structural budget balancing work we are doing today and have been doing for the last five years. It should be no surprise that we have reduced expenditures slightly this year, but it does not affect the services of this city.

The administration's determination to keep a healthy cash balance on hand is critical to our long term financial health. We are committed to this, not just to maintain the city's reputation with national lenders, but to protect the precious ground we've gained from future financial crises that are sure to come. Our efforts to get more value and efficiency in government services to the city's 88 neighborhoods. Our commitment to remain competitive with other cities by holding the line of the wage tax, the property tax, and the business privilege tax that are benchmarks of whether we are a city that people want to live and work and play.

Pittsburgh is breaking out of what some had described as a long period of malaise and mediocrity. While we may have occasional differences in approaches in solving the problems facing this city, I think we can all agree that there is a new Pittsburgh momentum. And, what I hear in the dozens or more neighborhood events I attend each week is that the people we represent have a great sense of optimism about the future. There is renewed conviction that Pittsburgh will be a leading

force for the entire region during the next decade.

The 18th Century English essayist, William Hazlitt, tell us "As is our confidence in ourselves, so is our capacity for greatness.

I'm confident about the long-term economic health of this city, but I must be cautioned that there are certain problems that lie ahead and serious problems that must be overcome over the next year for our continued economic self-confidence to continue.

The most important of these are the real estate tax collections and the assessment inequities. I have more to say about this significant problem and what we need to do together to overcome them. But, for a moment, I want to point to some of the sunshine breaking through the clouds.

The strongest area of our budget, the section that garners our city the most respect in lending circles, is our fund balance. This account, which has been the focus of sharp debate, now stands at \$48 million dollars. I will continue to defend a 10 percent unreserved balance as long as the city's spending outpaces income.

I have set the unreserved account limit for this budget year at \$35 million dollars. Net of the \$10 million pulled out for the Neighborhood Needs Program, a one time allocation for badly needed basic infrastructure improvements in city neighborhoods. Judging from public reaction to this initiative, this is a popular and prudent use of our surplus fund. But, let me be clear that we are doing this only because we have the resources beyond our

obligations to fiscal responsibility represented in the unreserved fund balance that remain.

There are healthy increases in revenue from taxes connected to business activity. By way of example, if you look at the charts, they show significant jumps in collections for earned income, sales, the amusement tax. These increases, I submit to you, are a good gauge of how the economic activities and the developments that we have begun in Pittsburgh are beginning to return value and add confidence in this city's future. That's good news and we ought to be very excited about that because we all took some risks to see those numbers go up.

All residents will be pleased to see that this budget calls for the hiring of three classes of new police officers. Increasing our strength over the present strength by over 100 officers to protect our citizens and maintain our successful public safety record.

Also new this budget year are significant savings in utility costs, as a result of our efforts to bring healthy competition to gas, electric and other utility industries that were dominating city service. You might remember a few years ago we were involved in several lawsuits and led the effort in the state legislature to put Pennsylvania at the forefront in deregulated utility industries. We're seeing the results now. Thanks to these efforts, the 2000 budget projections have some of the lowest utility costs in years. What we were convinced would happen eventually is happening right now, the deregulation of these over protected utility markets have created polling opportunities from municipalities.

Thanks to sustained fiscal discipline and some of the best departmental management talent to be found at any city government, I am presenting an operating budget that retains essential city services uncut and a quality of life improvements for our neighborhoods which also meets spending reduction goals for the 2000 budget year. It will be clear to each of you, once you examine the numbers, that department directors and chiefs have faced enormous difficult choices in fulfilling my directive to find ways to do more with less. They and their staffs deserve tremendous credit for reducing spending while continuing to meet basic responsibilities. I want to thank all of you, the directors and the chiefs, for your hard work. You've done a great job for us.

But, you should know that I want to thank them with a line item commitment in next year's budget. The long standing and unfortunate situation where some directors and bureau chiefs have been paid less than others is being corrected in this budget. I hope you all will support that. All salaries of directors and bureau chiefs will be brought into parity and will be at the same level.

Another area of the budget that hasn't seen sunlight in several years is the Cost of Living Adjustment for pension disbursements to retired city employees. We all know who they are, we see them in our neighborhoods. People that have given years of service to the city and are now retired. I am pleased to report that this year's budget provides for a 20 percent cost of living increase to city pensioners. City pensioners should take note this is one of the few areas of line

item increases, a way to say thank you for their patience in leaner years and for their many years of services to this city.

I also want to publicly thank the city's union for doing a good job in holding down medical claims costs. We have realized significant savings from more efficient management of accounts and increased employee cooperation in cost saving efforts. This wouldn't have happened without the cooperation of all of our unions. I'd like to think that we are providing one of the best benefit packages of any employer in this city right now but, at the same time, we are having probably some of the best success of any employer of continuing to control medical cost. That's because we're all working together.

While our Workers' Compensation costs are still among the highest in the country, some sunshine is even breaking through here on two fronts. Good savings have been achieved from contracting out management of Workers' Compensation claims. We have seen tighter case management and decreases in the time employees are away from work. Cost savings are expected to continue in the next fiscal year. The ongoing Workers' Compensation Commutation efforts also will continue this year, reducing the city's liability down to between \$1 million and \$1.5 million dollars annually. That's good news for us. Again, it comes because we are receiving significant cooperation from our unions.

Now, unfortunately, I have to shift our focus to some of the dark clouds that still are above us. We face some tough, touch challenges here. It is my judgment that we have a little chance of overcoming them without a unified effort directed at

powers and processes sometimes beyond the city's gate.

Again, we find ourselves where we should not be. Current revenues do not meet projected expenditures. In part because 28 percent of the budget involves fixed costs to bond holders, pensioners and Workers' Compensation claims. Payroll costs account for more than 67 percent of our operating budget. When you add those two together, it doesn't give us much room to make additional cuts. These two are fixed and untouchable as the agreements now stand with the unions we have multi-year obligations.

As I pointed out earlier, our managers have been diligent about cutting costs and our workforce has been cut to the bone. I would think you would agree with me that further reductions of essential city services in either the workforce or equipment would be ill advised. I believe there's only one responsibility course and that's to look at how do we increase revenue without raising the taxes that are very much the bell whether of determining whether this city is a competitive place.

We've devised a solution in this budget that is a mixture of revenues and expenditures. Together they provide for a healthier economic future. I want to focus on three areas we've identified as essential to achieving this goal.

To make up the \$22 million dollar difference, one, I am once again requesting that the City of Pittsburgh be brought into line with nearly 80 percent of the other municipalities across the state that assess residents for refuse collection. I'm proposing, as I've done for the last two years, a residential garbage fee collection

that would completely fund this service. The monthly cost would be \$8.25 per household. It would generate \$13 million dollars in new revenues for this city next year.

While I realize that Council has rejected this proposal in the past, I ask each of you to look at this plan in the context of what responsible choices are left to us. We need to join the thousands of municipalities represented in the refuse collection assessment trend sweeping the country. How long can we continue to provide this service when so many other cities have come to the realization they cannot do it alone with sacrificing service quality?

Second, I'm proposing to redirect \$1.5 million in the Pittsburgh Development Fund repayments back to the operating payment. I'm also advocating a one time infusion of about \$1 million dollars, the amount of expected savings from eliminating some city trust funds and corresponding bank fees.

Let me touch on the development fund. We all took a risk almost five years ago in creating that development fund. It gave us an unprecedented opportunity to invest in purchasing land with low interest loans and businesses that we were competing to bring to Pittsburgh, to deal with the environmental issues that precluded us from developing properties around the city.

Look at what has happened. Go to Gene Ricciardi's district on the old Jones and Laughlin's Steel Mills site and see almost a dozen buildings under construction. Look at Washington's Landing. Go to Bob O'Connor's district

and see what is happening in Nine Mill Run, the first new major neighborhood to be created in this city since War World II. None of that would be happening. All over the city we see those developments because we all took a risk and created a development fund.

The good news now is those investments we made are paying us back. Because they're paying us back, we have the ability to bring back into the city budget a million and a half dollars of those repayments. We have won both ways. We have won on our initial investments in generating new value for the city. Now, we are winning again when those investments are paying off on the direct repayment to those loans.

To join together to work out a permanent funding solution to this perennial budget shortfall would be a historic undertaking and that would be very welcome to the voters who recently voted for the significant change in the make-up of Allegheny County government. These are historic times.

I want to take a moment to extend this city's official congratulations to Allegheny County's Executive elect, Jim Roddy and the 15 member newly elected members of the County Council as they take on the challenge and the venture of forming a completely new government. I believe Jim is a talented leader who will go beyond party affiliation to partner with us and everybody in Allegheny County to move our efforts forward for this region.

That brings me to my third point. I want to engage with all of you and the new county government in an overhaul of the assessment and appeals process in the

collection of real estate taxes. The chart on your left shows that the city's portion of real estate tax increases are counting for one-third of our revenues. Let me underline that for you, one-third of our annual revenues comes from the property taxes. It's not growing as it should. If you look at that chart, you can see that assessments are growing. We are creating new value in the city.

On that chart, you will also see that on appeal, people are receiving reimbursements at a much higher level than we should expect. It is, in effect, an enormous problem. This budget this year shows, though we are creating this kind of increased value that we will receive approximately \$3 million dollars less from the real estate taxes than we did last year. How can that be? It is real because quite simply the real estate assessment system is a mess and it's broken and it needs to be fixed.

We all know how important these real estate tax revenues are to ensure that the county, city government, and our school districts can live within their means. But, the residents of the city and county need a system that has creditability and one that is perceived as fair and efficient and all inclusive. It should be the first priority of the new county government. If this system is working well, we have a structurally balanced budget.

Back to our own house, there is much we can do to keep Pittsburgh's economy moving, to keep the construction crafts, union halls empty and the cranes busy in the city skyliner.

I have presented to you what I believe is an honest and straightforward budget that reduces no services and will continue the job growth we're enjoying now. We have offered a logical and realistic way to get beyond our budget shortfall problems. No one likes to see an increase in fee assessments, but a garbage collection assessment is, in our view, the fairest and best solution.

We are so close, so close to putting this budget imbalances behind us for the long term. But, I need your help to make that happen.

It will be tempting to appeal to the lowest common denominator on this issue. I am asking you, exploring you, to rise above that. I ask you to be statesman on this issue and to think about how close we are to the city that is working, creating jobs, building our neighborhoods, a healthy financial balance sheet.

I believe that we can do that. I believe the residents of this City of Pittsburgh want us to do that. I need your help to get it done.

Thank you.

The Chair:

Before we take a recess, I want to thank the Mayor. I see so many directors and city employees. I want to thank you for your hardwork over the last year. On behalf of myself and all Councilmembers, thank you. Welcome City Controller Tom Flaherty to our Chambers. Mayor, we certainly look forward to a challenging six weeks.

We will take a five-minute recess.

We have many special guests. We would like to move to Read and Adopteds.

Mr. Hertzberg:

Would Laverne and John Yorkgitis please come forward.

I don't know how many of you have ever noticed the establishment right near the West End circle called Laverne's Diner. It's a great place with great food. Laverne's celebrating her 30th anniversary. It's one of those traditional diners. It's like stainless steel. Just like the old time diners and everything about it. It's like the old time service, good old time food, and good old time prices, too. Come to the West End.

PRESENTATIONS

MR. HERTZBERG PRESENTS:

No. 2238 WHEREAS, Laverne's Diner in the West End Neighborhood of the City of Pittsburgh is celebrating it's 30th Anniversary; and

WHEREAS, over 30 years ago Millicent Hatt, purchased Launie's Diner and asked LaVerne Yorkgitis to come to manage the diner; and

WHEREAS, in 1969 LaVerne purchased Launie's Diner from her cousin Millicent and renamed it LaVerne's Diner; and

WHEREAS, after ten years the Diner was badly in need of repair, and LaVerne feared the expense of renovating the old diner, which was a 50 year old coach car, would cause her to close; and

WHEREAS, after a frequent customer, who was a truck driver, informed LaVerne where she could purchase an original stainless steel diner to replace the old diner; and

WHEREAS, after a few months of planning, the new diner was set in place in one weekend and open for business the following Monday; and

WHEREAS, in the past few years Candid Camera, America's Most Wanted, several TV commercials and six movies have been filmed at LaVerne's Diner; and

WHEREAS, today LaVerne's Diner, which is considered by many people a landmark in the West End, still serves breakfast and lunch to many business people and commuters in and around the West End.

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate LaVerne Yorkgitis on her 30 years of doing business in the West End Neighborhood of the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Congratulations, Laverne.

Ms. Yorkgitis:

First of all, I'm honored to be here. This is great. I enjoy being at my work. I love it and I love the people that come in. I have daily specials everyday. We have pretty good breakfast, it's supposed to be the best in town, but you wouldn't know until you've tried it.

I want to thank you all for letting me come here today. It's a very nice privilege.

Thank you.

Ms. McDonald:

Would the representatives of the Committee for the American Heart Association, Sister to Sister Take Wellness to Heart.

We have with us certain members of the 4th annual conference, the Sister to Sister Take Wellness to Heart. It's by the American Heart Association. Miss Alice Pittrell who's here on my left is co-director of the conference. We also have Judy Schank with the American Heart Association; Andrez Estes with the American Heart Association; and members of the Committee who's been in council many times, Ms. Lillie LeSesne and Evelyn Parker, who's no stranger as well and Patricia Smith-Harvard.

MS. MCDONALD PRESENTS:

No. 2239 WHEREAS, on Saturday, November 13, 1999, the American Heart Association's African-American Women's Heart Health Awareness Committee will hold its 4th Annual Heart Health Conference entitled, "Sister to Sister: Take Wellness to Heart."

at the Ramada Plaza Suites Hotel and Conference Center; and

WHEREAS, this year's keynote speaker is Dr. Patricia Davidson, F.A.C.P., Dr. Davidson is one of only twenty-two (22) black female cardiologists in the United States. She graduated from the University of Louisville Medical School in Louisville, Kentucky. Dr. Davidson is a dedicated member of the American Heart Association and was formerly on the Board of Directors of the Association of Black Cardiologists; and

WHEREAS, African-American women's death rate from coronary heart disease is 33 percent higher than that of white women. From the ages 35 to 74, the death rate from heart attack among black women is 1.4 times that of white women. Blacks have a 1.8 times greater rate of kidney failure due to cardiovascular disease; and

WHEREAS, participants will learn healthier lifestyles through various workshops and will have an opportunity to participate in screenings for stroke, cholesterol, high blood pressure and blood sugar.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the American Heart Association's African American Women's Heart Health Awareness Committee for continuing to keep the community informed on the importance of a "healthy heart."

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh hereby declares November 13, 1999 as

"African-American Heart Disease and Stroke Awareness Day."

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much.

I will now defer to Ms. Pittrell to give you some information about the conference and a little more about the happenings going on on Saturday.

Ms. Pittrell:

On behalf of the American Heart Association, I do really truly thank you for this proclamation and for the support from the City Council on this very important aspect of health. As you know, all of you must know, that heart disease is the number one killer. Not of just African American women, but of everyone in this United States. So, it behooves all of us to get information on what we should do to prevent it and understand what the risk factors are and the things you can do to help control the disease.

That's what we're about on this coming Saturday which is opened to everybody, not just African American women. It's opened to men and women of all ages of ages and all colors and all religions.

At any rate, we're going to have a workshop on stress management because we all understand what stress does to the

body, on exercise because most of us don't move enough. So, there's an interactive program for exercise there. You'll also learn what to do at home. You don't have to really belong to an expensive athletic club. We're going to have one on heart disease, of course and on stroke and on nutrition. Actually there are ways to do low fat soul food cooking, if you believe that. It's actually true and you'll learn how to do that.

Also, I always say you should know your numbers. You should know what is your healthy heart rate, your blood pressure and your cholesterol. We're going to have screenings for cholesterol, for diabetes, for strokes and for blood pressure. That's all free, the screenings are free.

There is a \$5.00 registration fee. But, we don't turn away anybody. If you don't have \$5.00, come on anyway. That includes the workshop, that includes the keynote speaker, that includes the continental breakfast, lunch and a lot of good giveaways because we're going to have a wonderful raffle. If you don't come, please let somebody at home know about it. It's at the Ramada this coming Saturday. Registration is at 8:00.

I also want to thank members of the committee. We have a very devoted and hardworking group of women that have been together for four years who worked very hard all year to put together this program. The American Heart Association has declared them as the volunteer group of 1999. So, we're very proud of that. So, a hand for our committee.

Thank you very much.

Unidentified Speaker:

Alice forgot to include the one workshop we have on smoking cessation. That's because I'm very much involved in another organization that work very hard to get people to try to stop smoking or, at least, reduce the amount of smoking that you do.

The Chair:

Valerie, I'd like to announce that no one on Council smokes. We have a very good City Council.

Ms. McDonald:

Thank you.

That's Saturday at the Ramada Suites Hotel, One Bigalow Square Downtown, the 4th Annual Conference of Sister to Sister Take Wellness to Heart from 8:00 a.m. to 3:30 p.m. You should bring \$5.00, you're getting fed.

We do have one resolution that was read into record on October 26th. But, I was not able to present it. I'm able to present it today. So, would all the women for Women and Business and Professions come forward to receive a resolution.

I want to read the proclamation and I'll ask Commander Elliott to -- I have all the names. I'll introduce the names.

MS. MCDONALD PRESENTS:

No. 2193 WHEREAS, Pittsburgh seeks to extol the distinguished accomplishments of Commonwealth

women – past and present – who have worked with vision and determination to progress the proud tradition of Women in Business and the Professions; and

WHEREAS, these women who endeavored to attain the highest standards of excellence, remind us of the struggles, the obstacles and the omnipresent need to promote positive change throughout our Commonwealth; and

WHEREAS, the women of Pittsburgh successfully started businesses, became professionals, and embraced the challenge of succeeding with incontrovertible skill, intelligence and ability; and

WHEREAS, we applaud the tremendous accomplishments of Pittsburgh's women, let us also dedicate ourselves to the ever vigilant pursuit of justice, fairness and opportunity for all.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Women in Business and the Professions for the commitment and dedication given to the community.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declares the week of October 17 -23, 1999, as "Business Women's Week" in Pittsburgh, and encourages all citizens to recognize the invaluable contribution made by women in business and the profession.

The Chair:

This was past in Council on Tuesday, October 26th. Today we are

formally presenting to the organization and Commander Gwen Elliott this proclamation. With us and I'll turn the microphone to Commander Elliott, we have Leslie Lewis who was formally on our Citizens Police Review Board, Commander Maurita Bryant, thank you Commander, Kathie Elliott, Bonnie DeCarlo who's no stranger, Gwen Owens, Linda Getz, Christine Williams and Barbara Dixon. Thank you ladies. I'll turn the microphone over to Gwen Elliott.

Ms. Elliott:

Thank you Councilwoman McDonald and to our President Mr. O'Connor.

This group is the East Liberty Business and Professional Women. We have just chartered our national group and our state group to change our name to the Pittsburgh Chapter because we're the only chapter in the City of Pittsburgh. So, we want to extend our thanks to Councilwoman McDonald for recognizing us.

We also want to say something about the ladies who are presented before us. We had a health fair in October because it was Professional Business Women's month. We wanted to look at the kind of things that are going to do at your workshop this week. Our theme for this year is to be physically fit, mentally sound and politically active. We have tried to do that sort of thing.

I was just awarded at our state convention, I am the professional woman of the year for the State of Pennsylvania. So, I think that's a great honor, not for me, but for the City of Pittsburgh and these

ladies who represent our club. We have about 30 members. If anybody's watching us, we'll be glad to take new applications. We try to do some things.

Councilman O'Connor, our project for the year, for our whole district, is going to be cribs for kids. We thank our District Attorney. Mr. Zappala has vowed to match dollar for dollar, every dollar that we raise. So, we're going to be real busy and we thank you for this opportunity this afternoon.

Thank you.

The Chair:

Valerie, I might add that Gwen, I think, has been a little modest. Her, the District Attorney and others have formed together a group for cribs for kids. I believe we're on our 400th crib for kids who don't have cribs. It's something you don't realize and you never think it's out there. You don't know how many lives you may have saved with that.

Gwen, thank you for all your hardwork.

The Chair:

Would Jay Pochapin and the group from St. Barnabas please come up. Besides Jay we have Barbara Bloomer, Gary Wilson and Susan Messenger with us.

Time flies, it's already Presents for Patients time. This is an outstanding project that really has grown well beyond the boundaries of the City of Pittsburgh. I want to read the resolution. It certainly

explains all the hard work you've done at St. Barnabas.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2240 WHEREAS, St. Barnabas Health System, founded in 1900, has offered relief and hope to indigent and homeless men and boys and ultimately, all persons, without regard to race, creed, color, sex or ability to pay; and

WHEREAS, St. Barnabas Health System traces its roots back to a humble mission house along Downtown Pittsburgh's Third Avenue, then moving to Sydney Street on the city's South Side, then Carrick and then McKeesport, before arriving at the site of its present-day campus in Gibsonia, Pennsylvania; and,

WHEREAS, the PRESENTS FOR PATIENTS campaign, now in its 16th year, founded by the President of St. Barnabas Health System, Mr. William V. Day, which encourages contact between residents of nursing homes and assisted living facilities and the surrounding communities, thus brightening the holidays at over 150 elder care facilities for tens of thousands for whom the season would be less bright in the states of Pennsylvania, Ohio, West Virginia and New York; and,

WHEREAS, St. Barnabas Charitable Foundation, the fundraising arm of St. Barnabas Health System and its PRESENTS FOR PATIENTS have repeatedly brought Pittsburgh and Southwestern Pennsylvania to the attention of the entire world in a most positive light, demonstrating older adults still have

valuable qualities to share with the larger community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and praise St. Barnabas Health System and The PRESENTS FOR PATIENTS program for their continued dedication; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does declare Thursday, November 11, 1999, to be "Presents for Patients Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

This is an outstanding project. It's hard to believe you're in five states so it's really grown. I'm honored and proud to have you here in Council today and all you've done for us.

Mr. Pochapin:

Mr. Council President, members of Council and ladies and gentlemen, please permit me to thank you for honoring this year's Presents for Patients campaign with your proclamation.

Before I proceed any further, please permit me to introduce several special guests who are here representing the participating facilities in the City of Pittsburgh and the residents and patients of

those facilities who benefit from the Presents for Patients campaign.

From Park Terrace Care Center, from left to right, we have administrator Barbara Bloomer and residents Susan Messenger and Gary Wilson. They are here standing in as it were for the over 195 facilities taking part in this year's campaign. They, in part, represent our goal for this year of matching over 17,800 patients with visits and gifts.

In the immediate tri-state area, Presents for Patients is co-sponsored by St. Barnabas Health System and WPXI TV. All cost of administrating the program, including labor, are donated.

Very quickly, here's how Presents for Patients works. Anyone interested in adopting a patient can call our headquarters at 724-443-0011 or they can pick up a donor card at the display found in any of our participating facilities or beginning early next week, they can visit us on line at realpittsburgh.com or the St. Barnabas home page at community.realpittsburgh.com/stbarnabas.

Once the form is filled out and submitted, our volunteers match the donor with a patient and the donor is then notified of the patient's gift preferences, if any. Normally, these preferences range between \$5.00 and \$25.00. The donor then shops, wraps and delivers a gift to the patient in the facility. This is really the crux of the program. It's not so much the gift, it's the visit; the human contact that really makes this work.

If the donor lacks the time or the opportunity, they can make a monetary donation to PFP. Volunteers will shop, wrap and purchase a gift for them and

deliver it in their name. We encourage volunteer participation, church groups, scouting groups, service organizations, fraternities, sororities, families, individuals, all are welcome.

On behalf of St. Barnabas Health System, our President William V. Day, the staff, the volunteers, the donors and, most importantly, the patients who benefit from the gift and the contact this holiday season, we thank you for this honor.

I understand that Barbara Bloomer of Park Terrace also has a few remarks she'd like to share with you at this time.

Ms. Bloomer:

I'd like to thank Jay for inviting us back again this year. We were with him last year.

Our residents received presents from different donors. Gary and a resident named Sandy also received their gifts from Channel 11's Peggy Finnegan and David Johnson. If you could have seen the look on their faces. Gary just shined and whenever Sandy got home, she cried because someone had thought of her.

Even if you just sort of let the people in your office pick a person or suggest to someone about Presents for Patients. The key is to get the word out. If you just tell a friend and a group of you go together and pick one name. Make that visit, that's what counts. That's what really make them happy when you stop in and you see the look on their face because they might not know you're coming. Just the joy you bring to them.

We'd like to thank Presents for Patients and we hope that everyone will help volunteer this year.

Thank you.

The Chair:

There are some to be read in the record.

MR. COHEN AND MR. O'CONNOR PRESENT:

No. 2241 WHEREAS, The Health Professions Division of the Pittsburgh / Tri-State Campaign for State of Israel Bonds has awarded Dennis J. Hurwitz, M.D. and UPMC Health System it 1999 State of Israel Maimonides Award; and

WHEREAS, Dennis Hurwitz is a board certified plastic surgeon and a professor of plastic surgery in the University of Pittsburgh School of Medicine; and

WHEREAS, a graduate of the University of Maryland, Dennis Hurwitz's postgraduate studies included an internship and residency at Yale University Hospital and Dartmouth Affiliated Hospitals; and

WHEREAS, Dennis Hurwitz's civic accomplishments are as impressive as his professional achievements, including serving as President of the Allegheny County Medical Society and, with his wife Linda, serving as Chairman of New Leadership for the Pittsburgh / Tri-State Campaign for State of Israel Bonds; and

WHEREAS, UPMC Health System is a leader in creating a new

visionary health care industry in Pittsburgh and provides our residents with one of our nations top health systems and

WHEREAS, UPMC Health System, world-renowned for its excellence in healthcare, has also distinguished itself by its support of the State of Israel through its leadership in the Pittsburgh / Tri-State Israel Bonds Campaign; and

WHEREAS, UPMC Health System officers have hosted Israeli dignitaries conducted tours for Israeli health professionals and have made a major investment in Israel through its participation in the Israel Bonds program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Dr. Dennis J. Hurwitz, M.D. and the UPMC Health System for their commitment to Israel Bonds and the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. HERTZBERG AND ALL COUNCIL MEMBERS PRESENT:

No. 2242 WHEREAS, On Sunday, November 7, 1999 the Western Pennsylvania Chapter of the Amyotrophic Lateral Sclerosis Association, is presenting "An Evening of Hope" dinner and auction; and

WHEREAS, the ALS Association is honoring former Mayor of the City of

Pittsburgh, Sophie Masloff, in recognition of her longstanding community involvement that has made the City of Pittsburgh and the Western Pennsylvania region a better place to live; and

WHEREAS, former Mayor Sophie Masloff began her illustrious career in Government as an assistant to Allegheny County Commissioner John J. Kane, then she became a minute clerk with the Court of Common Pleas, later was appointed to Pittsburgh City Council to fill out the term of Amy Ballinger and was reelected in 1977, 1981 and 1985; and

WHEREAS, On January 4, 1988 she was elected the first female President of Pittsburgh City Council, and with the death of Mayor Richard Caliguiri, she was sworn in as the first female Mayor of the City of Pittsburgh on May 6, 1988; and

WHEREAS, Sophie always maintains a "down to earth" demeanor, being cited by friends and family as "street smart, compassionate, able to see the little things that matter to people, warm but tough with a wonderful sense of humor"; and

WHEREAS, Sophie has been a longstanding supporter of the ALS Association, having assisted with numerous fundraising events and using her personal popularity to increase the public's awareness of ALS.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins the ALS Association in honoring Sophie Masloff for her many years of service and dedication to the City of Pittsburgh.

BE IT FURTHER RESOLVED, that Sunday, November 7, 1999 be declared "Sophie Masloff Day" in the City of Pittsburgh

MS. MCDONALD moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS:

No. 2243 WHEREAS, Albert Silvio has dedicated many years of service to the Italian Sons and Daughters of America (ISDA), for which he will be honored on November 7, 1999; and

WHEREAS, Albert Silvio has been a member of the De Leo Lodge of the ISDA for thirty years, serving as lodge president for nearly ten years and as national counselor; and,

WHEREAS, Albert Silvio has also been involved in such activities as the Columbus Day Parade, having built the Santa Maria float, which has appeared in the Parade for fifteen years; and,

WHEREAS, Albert Silvio is also active with special events of the organization including service as chairman of Kennywood for Italian Day, worked unofficially with the planning committee of the Senior Citizen Festival; and,

WHEREAS, Albert Silvio also worked for thirty years at Equitable Gas while volunteering for the ISDA wholeheartedly.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Albert Silvio on this well-deserved recognition; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, November 7, 1999, to be "Albert Silvio Day" in the City of Pittsburgh.

Also,

No. 2244 WHEREAS, Joseph Welsh was born on November 6, 1924, to John and Mary Welsh in Pittsburgh Pennsylvania; and

WHEREAS, Joseph Welsh has remained a loving and devoted brother to Jack, Peggy, Eileen & Patricia; and,

WHEREAS, Joseph Welsh attended St. Regis Grade School & Central Catholic High School, later joining the Marine Corps to defend the United States during World War II; and,

WHEREAS, Joseph Welsh married Rita White, the woman of his dreams, on June 21, 1952. They were blessed with five children - Maureen, Donna, Michael, Nancy and Patrick and wonderful their in-laws, Richard, Jane and Mark; and,

WHEREAS, Joseph and Rita Welsh are also blessed with seven grandchildren - Richard, Eric, Michael, Colleen, Kelly, Molly and Megan; and,

WHEREAS, Joseph Welsh worked hard for his family at Islay's, Three Rivers Stadium, Okland Café and Greenfield Grille among other places to provide a warm and loving home; and,

WHEREAS, Joseph Welsh can usually be found playing golf, playing cards and gardening with Rita, unless it's St. Patrick's Day, in which case, he can be found marching - rain, snow or shine - marching in the parade; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Joseph Welsh on the occasion of his 75th birthday; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does wish Joseph Welsh many, many more and does hereby declare Saturday, November 6, 1999, to be "Joseph Welsh Day" in the City of Pittsburgh.

Also,

No. 2245 WHEREAS, Joseph Bojalad was born on November 22, 1929, to Hazel and Joseph Bojalad in Ridgway, Pennsylvania; and

WHEREAS, Joseph Bojalad remains a dedicated and loving brother to Charles, Richard and Mary; and,

WHEREAS, Joseph Bojalad met and fell in love with Jean, the woman of his dreams as a young man and married her on January 17, 1958, making Thornburg, Pennsylvania their home; and,

WHEREAS, Joseph and Jean Bojalad were blessed with their children Joey, Debbie and Mia and granddaughter, Farrah Christen; and,

WHEREAS, Joseph Bojalad is known for many things, most notably as a

skilled racecar driver, big-game hunter and antique collector; and,

WHEREAS, Joseph Bojalad is also well known as "Mr. Fix-It" - a handyman deluxe.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does congratulate Joseph Bojalad on the occasion of his 70th birthday; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does wish Joseph Bojalad many, many more and does hereby declare Monday, November 22, 1999, to be "Joseph Bojalad Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2246 WHEREAS, Herb Green and Edythe Freiberg discovered love at first sight while high-school students in New York; and,

WHEREAS, after many "dry walks" Herb and Edythe married each other on November 7, 1942, and have enjoyed 57 years of love, devotion and happiness; and,

WHEREAS, Herb and Edythe are blessed with four wonderful children - Wendy, Keith, Larry and Richard - and six fantastic grandchildren; and,

WHEREAS, while Herb and Edythe Green are officially from New York, they moved here in 1950 and therefore have lived in the City of Pittsburgh long enough to almost make them natives of the area.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Herb and Edythe Green on the occasion of their 57th wedding anniversary; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish Herb and Edythe Green the best during their next 57 years and furthermore, declares Sunday, November 7, 1999, as "Herb and Edythe Green Day" in the City of Pittsburgh.

Also,

No. 2247 WHEREAS, Hans Frankenthal of Dortmund, Germany, a Holocaust survivor, is visiting our city to discuss his life and his advocacy on behalf of victims of the Holocaust; and,

WHEREAS, Hans Frankenthal, as a young boy growing up in Schmallenberg in the Sauerland, was twelve years old when members of the SS destroyed by fire the synagogue in Schmallenberg; and,

WHEREAS, Hans Frankenthal was deported to Auschwitz with his family in February 1943, and following the murder of his parents, was forced to perform unpaid labor under brutal conditions for nearly two years at IG Farben's Buna works at Auschwitz; and,

WHEREAS, upon his liberation, Hans Frankenthal returned to

Schmallenberg and took up the family business and raised a family; and,

WHEREAS, upon his retirement, Hans Frankenthal became an active member of the Synagogues and Jewish Councils of Germany and has worked to preserve and maintain the integrity of Jewish cemeteries in the state of North Rhine-Westphalia in Germany; and,

WHEREAS, moved by the plight of slave laborers of all nationalities -- including Jews, Poles, Russians and the Sinti and Roma peoples, as well as German opponents of the regime -- Hans Frankenthal began in 1991 to call powerfully for justice for the victims of slave and forced labor and other Nazi industrial and medical atrocities and has continued in this effort since that time.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh joins such noteworthy organizations as the Greater Pittsburgh Rabbinic Association, the B'nai B'rith (Allegheny - Ohio Region), the Tree of Life Congregation Adult Education Committee and Men's Club, the Thomas Morton Center, and the Service Employees International Union Local 585 in welcoming Hans Frankenthal to our city and in wishing him and others continued success in bringing attention to the plight of the uncompensated and sometimes unknown victims of bygone crimes; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, November 7, 1999, as "Hans Frankenthal Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. UDIN seconded the motion.

MR. O'CONNOR PRESENTS:

No. 2248 WHEREAS, Maurice C. Trent, Sr., was ordained by ECA in 1970 and started and evangelistic ministry with his family; and

WHEREAS, God has placed on the heart of Reverend Trent a burning desire to bring salvation to every unsaved man, woman and child; and,

WHEREAS, Reverend Trent has worked tirelessly to manifest the burning desire of his heart by preaching and teaching the word of Christ and establishing faith based programs to feed the hungry, counsel drug and alcohol addicted youths and adults, organize recreational activities for youth, teach life skills to unwed mothers, teach conflict resolution skills to families, provide homeless men, women and children with food and clothing and shelter and minister to individuals incarcerated in jails and prisons; and,

WHEREAS, the faith and works of Reverend Trent serve as a lighthouse whose bright light shines upon our city's turbulent waters to guide wayward souls to Christ; and,

WHEREAS, in recognition of his tireless work and steadfast faith, Reverend Maurice C. Trent, Sr., who has devoted his entire life to being an upright man of God was elevated to the holy position of Bishop.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and

congratulate Bishop Maurice Trent, Sr. for his tireless dedication; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 8, 1999, to be "Bishop Maurice Trent, Sr. Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will have public comments. Anyone wishing to address Council please step to the microphone, give your name and address for the record. You have three minutes to address Council.

We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 2249 Resolution transferring the sum of Thirty-Three Thousand (\$33,000) Dollars FROM Organization Code: 122000, Sub: 010, Fund: 1000, Account: 511000, Budget Year: 1999, Salaries TO Organization 123000, Sub: 020, Fund: 1000, Account: 516000, Budget Year: 1999, Premium Pay, Department of General Services.

Which was read and referred to the Committee on Finance & Budget

MR. FERLO PRESENTED:

No. 2250 Resolution providing for an Agreement or Agreements, or use of existing Agreements for Design Services and Project Management Services in connection with the Forbes Avenue/Market Street Improvements; providing for the payment of the costs thereof; and providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; at a cost not to exceed \$1,300,000.00.

No. 2251 Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by reducing the Transportation Improvement Program by \$260,000.00 and creating a new line item titled "Forbes Avenue/Market Street Improvements."

Which were read and referred to the Committee on Engineering & Construction

MR. RICCIARDI PRESENTED:

No. 2252 Resolution authorizing the transfer of the amount of Three Hundred Thousand Dollars (\$300,000.00) to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, account 571100, fund 1000, organization 999300, subclass 040, budget year 1999, from the Special Summer Food Service Program Trust Fund in the Department of Parks and Recreation, account 581140, fund 2855, organization 521220, subclass 600, budget year 1999.

Which was read and referred to the Committee on Finance & Budget

MR. O'CONNOR PRESENTED:

No. 2253 Communication from City Solicitor Jacqueline Morrow submitting a summary of claims filed and paid in October 1999.

Which was read, received and filed.

MR. HERTZBERG moved to receive and file.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council?

Hearing none, we'll move to Committee Reports.

This will be the last committee report because we're going into budget time.

CHAIR REPORTS**Mr. Cohen:**

I will be brief because of the lateness of the hour.

I did want to mention a few things that are happening with the General Services and Telecommunications Committee.

As you know, it's really divided under three different areas. One is fleet

management; two is administration and three is facilities management. Let me just hit a couple of highlights under each.

Under fleet management, as you know we've had to make a lot of changes to the storage tank, environmental remediation for our storage tanks. The good news is that virtually all of the sites have been upgraded under the federal guidelines and they are operational. That includes the main fuel island in the Strip District, Public Works Division 1 in Riverview Park, Division 2 on Hamilton Avenue, Division 3 in Schenley Park, Division 4 in McKinley Park and Division 5 in Hershel Park. All of those are now operational.

Just from a public relations point of view, Guy Costa, former Director of General Services and now Director of Public Works, and the Acting Director of General Services, Dale Brenner, are going to appear on the cover of the November issue of American Public Works Magazine. The reason is because of our natural gas powered vehicle program. We now have 19 motor pool vehicles and 10 light duty trucks used in various departments that are powered by natural gas.

Under administration, a new policies and procedures manual for city purchasing will be completed very soon. Hopefully that will streamline the city purchasing process. It includes people from the Controller's office, the Office of Business and Employment Opportunity, the Law Department and the Department of General Services. So, hopefully, Council will have a chance to review that and make any comments about it.

Under the facilities management, the kiosk, the automated kiosk, for this building, the City County building, is now being built and a demonstration is being scheduled hopefully in the next couple of weeks. General Services will notify us about that.

A detailed analysis and development of building plans for security improvements for the Zone 6 Police Station, as we discussed here often, have been finalized. An estimate is expected this week and ordering of customized material and the work will proceed immediately thereafter.

We also ask, really through Councilman Ferlo's initiative, to have the Planning Commission and Zoning Commission hearing room for that to be improved so that people can actually hear what is being spoken there. The John Robin's Building hearing room public address system has been ordered. The equipment is on back order and we can expect delivery to be within 10 days and installation should only take 2 days. So, hopefully, that room for all the Planning Commission and all the Zoning Board hearings will be improved and certainly more assessable to the public.

Finally, on the cable franchise renewal issue, which I actually discussed last week, I discussed the open access issue last week and I won't go through that again. The Mayor has granted AT&T a two month extension for us to be able to complete their work on that. That includes, by the way, not just the negotiations but the introduction of an agreement. If and when an agreement is reached, a public hearing on that agreement, an initial vote and final vote.

There are still a couple of significant outstanding issues of the city and Jacqueline Morrow and Rodney Akers down in the Law Department have sent AT&T a letter outlining the final outstanding issues. Hopefully, those will be resolved soon. That's really in AT&T's court right now.

Hopefully, we will be able to have an agreement soon. That negotiation, as you know, has gone on a long time. It's been hard fought. I think in the end, should AT&T agree with our final demands, I think it will be one of the finest franchise renewal agreements in the country. We're not there yet, but I think we're moving in the right direction.

Thank you.

Mr. Udin:

I just had a question for Councilman Cohen as to whether or not anyone in General Services or any other department has been giving any thought to redesigning this room especially the front part of it. Perhaps because on this side of the room I'm especially aware of the difficulty of moving around in this part of the room and moving back and forth from here to the front. These two large desks, although they are beautiful pieces of furniture, I'm not sure what purpose they serve. I just wonder whether or not anybody is thinking about whether or not this room is designed as well as it could be.

Mr. Cohen:

Not that I know of, not that I know of. As you know, the media sits at that desk. Not that I know of, but it certainly is worth bringing it up.

Mr. Udin:

Perhaps I'll explore it. I'd be interested in knowing if there's any other colleagues who may have some ideas about it, especially the President, about whether or not we are just situated physically. I feel sometimes uncomfortable discussing bills with our bosses, the taxpayers, with our backs to them. I just wonder how well this room is just organized.

Mr. Cohen:

I'd be happy to work with you on that.

Mr. Udin:

Thank you.

The Chair:

Are you expecting any updates on the TCI negotiations or recovering some road blocks before they get us at the last hours?

Mr. Cohen:

I would think very soon. We've had two executive sessions on it. I'm sure that the next step, yet, again, if an agreement is reached, is not an executive sessions, but rather individual meetings with every Councilmember because there are so many issues involved. As I said, we're kind of waiting on AT&T right now. But, I would hope that that would happen soon.

The Chair:

Thank you.

We will now move to reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2254:

Report of the Committee on Finance & Budget for November 4, 1999, transmitting sundry of resolutions.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2133:

Resolution Providing for an agreement or agreements with Charles J. Kolling, Legislative Consultant, for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 2000, at an aggregate cost not to exceed thirty-thousand dollars (\$30,000.00).

Which was read.

Also,

Bill No. 2168:

Resolution providing the necessary consent for the Stadium Authority of the City of Pittsburgh (the "Stadium Authority") to terminate the long-term lease by and between the Stadium Authority and the Public Parking Authority (the "Parking Lease") and the sub-lease to Alco Parking Corporation (the "Sub-Lease") encumbering premises owned by the Stadium Authority in the

22nd Ward of the City of Pittsburgh, to amend both the Basic Agreement by and between the Stadium Authority, the Public Parking Authority, Pittsburgh Associates, L.P., and Pittsburgh Steeler Sports, Inc. (the "Basic Agreement") and the consent decree entered March 31, 1989 by the Court of Common Pleas of Allegheny County, Pennsylvania at General Docket Number 88-12651 (the "Consent Decree"), and to enter into a new primary lease with Alco Parking Corporation, which lease shall provide long-term leasehold rights in premises owned by the Stadium Authority in the 22nd Ward of the City of Pittsburgh, which premises are a portion of the premises subject to the Parking Lease and Sub-Lease that are not necessary for the new construction.

Which was read.

Also,

Bill No. 2202:

Resolution providing for the transfer of \$10,000.00 from Salaries, Regular Employees, account 511000, fund 1000, subclass 010, organization 510000, budget year 1999, to Supplies, account 533400, fund 1000, subclass 100, organization 500000, budget year 1999, all in the Department of Parks and Recreation for the requisition of supplies through the end of the year for the department. (PRESENTED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 2204:

Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corporation in payment for professional services for the Pittsburgh Code, at a cost not to exceed \$2,523.50, chargeable to and payable from Account 525500, Sub-Class 150 Miscellaneous Services, Fund 1000 Organization 101200, Budget Year 1999 Office of City Clerk. —
(SPONSORED BY MR. UDIN)

Which was read.

Also,

Bill No. 2205:

Resolution REPEALING items in Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

(A) Failed to provide a title report.

LOCATION: 14 Reed Street
PURCHASER: Melvin E. Harris, Sr.
PRICE: \$1,000.00
AMT. FORFEITED: \$100.00
WARD: 3 BLOCK: 2 H LOT: 254
COUNCIL DISTRICT #6

(B) Failed to make balance payment.

LOCATION: 3403 Mulberry Way
PURCHASER: Albert W. Tester
WARD: 6 BLOCK: 48 S LOT: 189
PRICE: \$3,500.00
AMT. FORFEITED: \$350.00
COUNCIL DISTRICT #7

(C) Failed to make balance payment.

LOCATION: 531 N. Fairmont Street
PURCHASER: Jill Ann Smallwood
WARD: 11 BLOCK: 83 E LOT: 32
PRICE: \$750.00
AMT. FORFEITED: \$100.00

COUNCIL DISTRICT #9

(D) Failed to make balance payment.

LOCATION: 6910 & 6924 Hamilton Avenue & 6925-6927 & 6911 Tenner Way
PURCHASER: Fred I. Schwartz & Melvin E. Solomon Rental Account, a Pennsylvania General Partnership
WARD: 12 BLOCK: 125 L LOT: 210-210A-215 & 277
PRICE: \$7,000.00
AMT. FORFEITED: \$800.00
COUNCIL DISTRICT #9

(E) Failed to make balance payment.

Two story brick house
LOCATION: 507 Lincoln Avenue
PURCHASER: Nile Publicity Group, Inc.
PRICE: \$2,500.00
AMT. FORFEITED: \$250.00
WARD: 12 BLOCK: 125 B LOT: 84
COUNCIL DISTRICT #9

(F) Failed to provide a title report.

Two story brick house,
LOCATION: 312 Lowell Street & 312 Polk Way
PURCHASER: Connie West
WARD: 12 BLOCK: 125 B LOT: 201 & 202
PRICE: \$1,000.00
AMT. FORFEITED: \$100.00
COUNCIL DISTRICT #9

(G) Failed to provide a title report.

Two and one half story stone house;
two car cement block garage
LOCATION: 621 Thompson Street
PURCHASER: Lavel M. Claytor
WARD: 12 BLOCK: 124 K LOT: 118
PRICE: \$6,500.00
AMT. FORFEITED: \$650.00
COUNCIL DISTRICT #9

(H) Failed to provide a title report.

LOCATION: 6726-6728 Simonton Street

PURCHASER: Jeffrey A. Hoyle

WARD: 14 BLOCK: 125 K LOT: 80 & 81

PRICE: \$1,500.00

AMT. FORFEITED: \$150.00

COUNCIL DISTRICT #9

(I) Failed to provide a title report.

LOCATION: 2604 Arlington Avenue

PURCHASER: Betty Wasick

WARD: 16 BLOCK: 13 M LOT: 170

PRICE: \$750.00

AMT. FORFEITED: \$100.00

COUNCIL DISTRICT #3

(J) Failed to make balance payment.

LOCATION: 616 Chautauqua Street

PURCHASER: Robert W. Johnston

WARD: 25 BLOCK: 45 S LOT: 111

PRICE: \$2,700.00

AMT. FORFEITED: \$300.00

COUNCIL DISTRICT #1

(K) Failed to provide a title report.

LOCATION: 519 Jefferson Street

PURCHASER: Arnie Chisom & Audra Chisom, his wife

WARD: 25 BLOCK: 23 E LOT: 142

PRICE: \$500.00

AMT. FORFEITED: \$100.00

COUNCIL DISTRICT #6

Which was read.

Also,

Bill No. 2206:

Resolution AMENDING
Resolution No. 509, Item B, effective
August 12, 1999 which authorized the sale

of four vacant lots, located at 7597-7595-7593 and 7589 Kelly Street, 13th Ward, Block 174-R, Lots 84-85-86 & Block 174 P, Lot 315, to Holy Cross Neighborhood Development, Inc., for the sum of \$2,500.00 to delete two parcels from the sale and to reduce the purchase price.

Which was read.

Also,

Bill No. 2207:

Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Breachmenders

PURCHASE PRICE: \$200.00 + Costs

Two vacant lots being sold to neighborhood group for future development.

LOT: 19.5 X 60; 20 x 60

LOCATION: 224 Whitridge Street

WARD: 4 BLOCK: 11 D LOT: 1

COUNCIL DISTRICT #6

A) Continued

LOT: 19.50 X 60

LOCATION: 222 Whitridge Street

WARD: 4 BLOCK: 11 D LOT: 2

COUNCIL DISTRICT #6

(B)Breachmenders

PURCHASE PRICE: \$100.00 + Costs

Vacant lot being sold to neighborhood group for future development.

LOT: 20 X 80

LOCATION: 218 Whitridge Street

WARD: 4 BLOCK: 11 D LOT: 4
COUNCIL DISTRICT #6

(C) Breachmenders

PURCHASE PRICE: \$100.00 + Costs
Vacant lot being sold to neighborhood
group for future development.

LOT: 50 X 120

LOCATION: 2542 Allequippa Street

WARD: 4 BLOCK: 11 D LOT: 76

COUNCIL DISTRICT #6

(D) Breachmenders

PURCHASE PRICE: \$300.00 + Costs
Three vacant lots being sold to
neighborhood group for future
development.

LOT: 13 X avg. 92.18 X 44.33 ft

LOCATION: 2555 Allequippa Street

WARD: 5 BLOCK: 11 D LOT 84

COUNCIL DISTRICT #6

(D) Continued

LOT: 24 X 100

LOCATION: 2553 Allequippa Street

WARD: 5 BLOCK: 11 D LOT 85

COUNCIL DISTRICT #6

(D) Continued

LOT: 24 X 100

LOCATION: 2551 Allequippa Street

WARD: 5 BLOCK: 11 D LOT 86

COUNCIL DISTRICT #6

(E) Allegheny West Civic Council

PURCHASE PRICE: \$1,000.00 + Costs
Three story brick house requiring
rehabilitation.

LOT: 19.88 X 84

LOCATION: 850 N. Lincoln Avenue

WARD: 22 BLOCK: 8 A LOT 106

COUNCIL DISTRICT #6

Which was read.

Also,

Bill No. 2229:

Resolution authorizing the Mayor
and the City Solicitor to transfer funds in
the amount of sixty thousand (\$60,000.00)
dollars from the Department of Law -
Salaries, Fund 1000, Organization 108000,
SUB 010, Account 511000, Budget Year
1999 to Department of Law -
Miscellaneous Service - Professional,
Fund 1000, Organization 108000, Sub
150, Account 526100, Budget Year 1999.

Which was read.

Also,

Bill No. 2232:

Resolution repealing Resolution
192 of 1995 entitled "Providing for the
letting of contract or contracts, or the use
of existing contracts for Play Area Safety
Improvements for the Department of
Public Works, cost not to exceed
\$250,000.00". (SPONSORED BY MR.
O'CONNOR AND ALL MEMBERS)

Which was read.

Also,

Bill No. 2233:

Resolution further amending
Resolution No. 973, effective January 1,
1995, entitled, "Adopting and approving
the 1995 Capital Budget and the 1995
Community Development Block Grant
Program, and approving the 1995 through
2000 Capital Improvement Program," by
decreasing Play Area Safety
Improvements, Primary Project Number
2249211 by \$250,000. (SPONSORED
BY MR. O'CONNOR AND ALL
MEMBERS)

Which was read.

Also.

Bill No. 2234:

Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization" line item by \$180,000.00. **(SPONSORED BY MR. O'CONNOR AND ALL MEMBERS)**

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2255:

Report of the Committee on Public Works and Environmental Services for November 4, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2196:

Resolution granting unto John Steiner, 171 S. 22nd Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a patio and garden area in the rear of 171 S. 22nd Street on Edwards Way between 22nd and 23rd Streets in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2197:

Resolution granting unto First Lutheran Church, 615 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a guard rail on a portion of the right-of-way of Garland Way in the

2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also.

Bill No. 2198:

Resolution granting unto Walnut Capital Partners, Shadyside, L.P., 5541 Walnut Street, Pittsburgh, Pennsylvania 15232, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, trees, lights, canopies and banners on a portion of the right-of-ways of 5541 Walnut Street and Ivy Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2199:

Resolution vacating a portion of Strauss Street from Irwin Avenue eastwardly 274.59' in the 26th Ward, 1st Council District of the City of Pittsburgh; subject and conditioned upon execution and delivery by Charles Street Area Council to the City of Pittsburgh of a deed of easement granting to the City of Pittsburgh an easement for right-of-way purposes over the vacated area.

Which was read.

Also,

Bill No. 2226:

Resolution providing for an agreement by and between the City of Pittsburgh, The Pittsburgh Foundation, a

Pennsylvania non-profit corporation, and the Pittsburgh Allegheny County Vietnam Veterans Monument Fund Charitable Trust, in the connection with the transfer of the Vietnam Veterans Monument and providing for the maintenance thereof. The maintenance costs will be paid at the permanent endorsement provided by the donor.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

The bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2256:

Report of the Committee on Housing, Economic Development & Promotion for November 4, 1999, transmitting three resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2006:

Resolution adopting the Station Square Tax Incremental Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh, and Making Certain Findings. (Council District No.2) (HEARING HELD OCTOBER 12, 1999) (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 2007:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the Financing, Monitoring, Implementing and Terminating of the Station Square Tax Incremental Financing District (Council District No. 2). (HEARING HELD OCTOBER 12, 1999) (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 2191:

Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 CDB Grant Program; and approving the 1999 through 2004 Capital Improvement Program,; by increasing Demolition of Condemned Buildings, Primary Project No. 2210011 by \$500,000.00 (SPONSORED BY MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Ms. McDonald:

Councilman Onorato has just informed me that Councilman Ferlo had contacted him regarding Bill No. 2191 which Councilman Ferlo has sponsored. Of course, it involves demolition so you know Dan Onorato is involved in this.

I'd like to make a motion to recommit Bill No. 2191.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

The other bills under this committee relate to the Station Square Tax Increment Financing district. You should have received a very colorful binder type of notebook. It is a very complete

document itself showing all the plans which we have seen before, this is a concise version. It also answers some of the most recent questions that came up.

I'd like to have my comments brought forward from last week's meeting. I won't go through them verbatim other than to say that I think this is a very good Tax Increment Finance plan. As far as the public is concerned, all the funds from the Tax Increment Finance end up going into what are public improvements.

Also, I received a letter today on an issue that I brought up during the public hearing on October 12th. That is the sidewalks, along West Carson Street, along the Freight House Shops, there are no sidewalks. You do end up with pedestrians that want to walk along that corridor. The answer I received from Forest City is, yes, we need to go to the Planning Commission for approval of a new plan and we will include those sidewalks in the new plan.

So, as they've done in the past Forest City has been very cooperative in listening to the neighborhood and in listening to myself on all the different needs and all the different thoughts on this plan. I hope Council will support this. I think it's a great plan.

Mr. Udin:

I want to thank Forest City for forwarding this very colorful brochure. However, I wish some of the time and expense that was put into the production of such an attractive brochure had been put into some of the questions that we raised at the table last weekend, particularly with regard to asking them to provide a

breakout of the minority and women employees at Station Square.

The Chair:

I believe it's there.

Mr. Udin:

No, it's not.

They have included some national demographics of Forest City nationally. Then, they go on to say that they do not have a breakdown of the minorities and women at Station Square. Now, at the table they did have a breakdown of the number of women. I don't know how they got the statistics on the number of women, but yet they don't have the statistics on the number of minorities employed at Station Square and they didn't even include, again, in this report, the number of women that were reported last week. So, I don't know what's going on and how attention is really being given to this issue. But, I take it very seriously. They obviously do have the data or they wouldn't have been able to tell us how many women they have. So, I intend to pursue this matter and I am hopeful that it is just an oversight and we will be able to get this data and a commitment from them to make improvements in the data if the statistics so warrant.

Secondly, I raised the question about the openness of public improvements. Forest City, again, repeated their intentions that the public improvements be opened to the public but their intentions is not what I was trying to get at, Mr. President. I was trying to get at an assurance, a guarantee to the taxpayers that if we put money in to improve these

public amenities, that they will definitely be opened to the public regardless of who the ownership of this area is.

Forest City just bought it from somebody else and next year they can sell it to somebody else. Where is the public guarantee that our investment in this assures us continued opened access? Just stating that it is their intention to keep it open is insufficient for me.

I don't know how Mr. Hertzberg might prefer to deal with this. I'm completely prepared to go forward with the approval of the plan provided satisfactory answers are forthcoming on this before any final execution of contracts are met.

I'd appreciate your insight, Mr. Hertzberg.

Mr. Hertzberg:

I think we can move forward. I'd like to move on this today. Everything you've raised I think can be dealt with. I believe it is Forest City's intention to do that.

You're correct there are pieces of paperwork that are yet to be signed. I think we can include all of that. I think, if we remember the calendar, there couldn't have been less time for Forest City to respond. We met Thursday last week in our special committee meeting and here we are on a Monday so they really didn't have a heck of a lot of time to prepare. They have answered some of the questions. But, you're correct, not all of them have been answered.

As we go forward and look to sign the final documentation, I think we can work through all of those issues.

Mr. Ricciardi:

I also feel comfortable moving forward with this also knowing in confident that Mr. Alan Hertzberg will be overseeing the final documents. I have a very good feel for the people involved.

I was very impressed with their presentation, their openness, their willingness to communicate with Councilmembers, both by phone and correspondence. We just have a tremendous asset in Mr. Hertzberg's district, the Station Square. I think this is really going to polish the jewel.

So, I also feel comfortable going forward with this today.

The Chair:

This is a very impressive project. I want to commend everybody involved.

The only question I have is what Mr. Udin brought up. It shows 3,000 employees, it says 36 percent are city residents and this certainly meets our new goal. It says minorities 18 percent and it says women 29 percent. I guess the question is is that this project or is that nationwide.

Mr. Hertzberg:

That's nationwide.

The Chair:

We can't get into a debate, I'm sorry. I'm following up on Mr. Udin's questions. If you read the letter, it certainly looks like impressive figures, 36 percent city, 18 percent minority and 29 percent women. That's a pretty good goal. But, it looks like it's the city the way I read it.

Mr. Udin:

That's there national organization, Cleveland, St. Louis.

Mr. Hertzberg:

That's nationwide.

The Chair:

Are you saying that 36 percent of city residents in Cleveland are city?

Mr. Hertzberg:

Mr. President, if you read the very next paragraph, they do give you the city resident percentage of employment at Station Square. They don't have a breakdown of minority and women, but they do have 42 percent of the employees of Station Square are city residents. That's the sentence that begins at the bottom of that letter and goes to the second page.

The Chair:

Again, thank you for the beautiful brochure. But, it's like our budget we get -

Mr. Onorato:

Mr. President, you brought up a point that maybe Mr. Hertzberg can

address. If not, if he can have it answered before any final signatures are put on paper because Councilman Udin has some good questions here.

The part I don't understand about the letter makes reference to their national figures, 3,000 employees nationwide. In the next paragraph, it talks about 2,752 employees working at Station Square. Does that mean that 90 percent of the national employment is here in the city or is that an additional 2,700?

Mr. Hertzberg:

Forest City doesn't make up half of the employees at Station Square or if maybe half, maybe less. A lot of those people are employed by others.

Mr. Onorato:

I got you. That's not their employees, the 2,752?

Mr. Hertzberg:

That's everybody at Station Square.

Mr. Onorato:

That's what I couldn't follow.

Mr. Hertzberg:

Some are Forest City and some work for the other different employers there.

The Chair:

What you're saying is that out of 2,700 they could be working in the stores,

restaurants, businesses or whatever. Again, that, I think, is our goal. They meet the 42 percent and it's certainly an impressive figure. But, Mr. Udin's question was not completely answered.

If you feel comfortable moving on with it, I'll --

Mr. Udin:

I feel comfortable moving on. I'm sure it is their intent to answer the questions and provide us with the assurance.

Although, I'm not sure about what legal assurances can be provided for public access. That, I think, we need to really look at carefully if we're serious about it. If we are okay with letting it go, then we need to be clear that we're okay with letting it go. But, if Council is serious about getting assurances that public access will always remain public access regardless of who the ownership transfers to, then, we need to perhaps get the law department involved and make sure that we have appropriate covenants written into the legislation.

The Chair:

Mr. Hertzberg, if you feel comfortable working with them, we can let it go at that or you can make a verbal amendment.

Mr. Hertzberg:

I prefer to just move on this as is and we can work that out in the final agreement.

The Chair:

The bills are now ready for action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

Mr. Hertzberg:

Mr. President there's a public hearing scheduled for November 30th at 6:00 p.m. here regarding the regulation of towing of vehicles from private parking lots. I'd like to make a motion that that public hearing be cable cast.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

As a reminder, we have a public hearing tomorrow, Tuesday, November 9th at 10:00 on Bill 2095, North Shore

East River Avenue TIF, the Heinz TIF. I believe that should be televised, too.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

I was talking to a couple of Councilmembers, since you brought up the TV. We were looking to see if anybody has input into televising all of our public hearings. I know we had a very good one the other day on Beacon Street and it wasn't televised. So, we may want to consider televising all of our public hearings that way we'll just let everyone in the neighborhoods know what's going on.

I won't make a motion now, but I'd like to have some of your input.

Can I have a motion to excuse the absent member?

MR. ONORATO moved to excuse to the absent member who's out of town.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes.

MR. COHEN moved to approve the minutes.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn.

MR. ONORATO moved to adjourn the meeting.

MR. COHEN seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bills 2006 and 2007 can be found in the Standing Committee Meeting minutes of November 4, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, November 16, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest today to lead us in the pledge. Alicia Allen is a 5th grade student at Lemington Elementary School with outstanding citizenship. She's a member of the Great Deliverance Church, she's also a member of the Lemington School Gospel Choir, Careers

Club, Library Club and Drama Club. She finds joy in music, sharing her talents with others, helping students in tutoring and she also brings joy to the residents of Lemington Home for the Aging with her vocal talents. She's a role model for all of us. She's accompanied by her mother, Diane.

Alicia Allen:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you, Alicia. We have a gift for you.

We have many special guests in the audience. Mr. Ferlo, would you bring yours up first?

Mr. Ferlo:

Good morning, everyone.

We have some great individuals in the audience today who need to be recognized and some that also need to be honored. At this time, I'd like the representative, who's the president elect of the National Society of Fundraising Executives, to come forward, please, Rebecca.

Members of Council, Rebecca Hebert is the President Elect of the National Society of Fundraising Executives. They have a very important meeting come up.

I'd like to read the following proclamation.

PRESENTATIONS

MR. FERLO PRESENTS:

No. 2257 WHEREAS, there are more than 350,000 nonprofit philanthropic organizations in Pennsylvania that are largely responsible for enhancing the quality of life for our State and County citizens, and others throughout our country and world; and

WHEREAS, the people of the City of Pittsburgh owe a great debt to the schools, religious organizations, museums, art and music centers, youth groups, health and human service providers, research institutions and other institutions and organizations that aid and comfort the elderly, the disadvantaged and the sick; and

WHEREAS, the National Society of Fund Raising Executives, Western Pennsylvania Chapter, plans to honor Charles R. Burke, Esq. as Outstanding Philanthropist; Foster McCarl, Jr. as Outstanding Volunteer Fund Raiser; Christ United Methodist Church Youth Group, Bethel Park, PA as Outstanding Youth Awardees; Howard Hannah Real Estate Services as Outstanding Philanthropic Organization; and Katherine Mabis McKenna Foundation as Outstanding Foundation; and

WHEREAS, the people of the City of Pittsburgh should demonstrate their gratitude and support for philanthropic organizations and the efforts, skills and resources of those individuals who carry out their missions;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 16, 1999, as National Philanthropy Day, and urges the people of the City of Pittsburgh to join in supporting those philanthropic organizations that help to make life in the City of Pittsburgh better for everyone.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much.

I'm pleased that we have the President Elect here today, Rebecca, to receive this. They have an exciting meeting coming in a few days.

We honored this organization last year. I think, actually, over the last few years. I think the proclamation speaks for itself. Without the hard work, not only of paid administrative staff but, more importantly, the thousands of volunteers. We could not put a dollar figure on the amount of pro bono volunteer work that so many organizations and individuals perform. In fact, many of the individuals that sit in this audience can probably, on their right hand, count three or four or five

different organizations that you volunteer and contribute your time. It is so valuable and certainly a major impact to improve the quality of lives for individuals and residents that we all represent.

So, we're very honored and pleased to have you here today. We wish you well in your new position of the President of this great organization. We'd like you to say a few words.

Ms. Hebert:

Good morning.

My name is Rebecca Hebert. I am, by location, the Regional Fund Development Director for the Girls Scout of Western Pennsylvania and also the President Elect for the National Society of Fundraising Executives, the Western Pennsylvania Chapter.

We have 350 members in this region. Our professional organization is dedicated to advancing philanthropy through education, training and advocacy.

Our deepest thanks as you join with us to pay tribute to those people in our society who make those personal sacrifices as they give their time, their talent and their financial resources to ensure that great visions become realities in our community.

Thank you.

Mr. Ferlo:

We have the delegation of Labor Representatives here today. We'd like you all to come forward from District Council 57 the International Brotherhood of Painters and Allied Trades. Gentlemen, if

you'd like to come forward, all the different representatives. You have some rank and file members; also, you're more than welcome to all come up here.

I want to thank Councilman Hertzberg and Mr. Diven and I think a number of other colleagues, my apologies for getting this information out late. So, I would hope that this proclamation today is being offered not only on the part of myself, but certainly many other colleagues who share the concern and support for this important resolution.

I'd like to read the following resolution. Then, I'd like to introduce the delegates that are here.

**MR. FERLO AND MR. DIVEN
PRESENT:**

No. 2258 WHEREAS, in a 1995 study, the General Accounting Office, the congressional research agency, found that 80 federal contractors, receiving more than \$23 billion in federal government business in fiscal year 1993, had violated the National Labor Relations Act; and

WHEREAS, a 1996 study by the same office found that 261 federal contractors, receiving over \$38 billion in federal government business in fiscal year 1994, received penalties of at least \$15,000 for violating Occupational Safety and Health Act regulations; and

WHEREAS, the Clinton Administration has proposed the Anti-Scofflaw regulation in an effort to prevent the federal government from entering into contracts with companies that are chronic violators of labor, environmental, tax, antitrust or employment laws; and

WHEREAS, the passage of these "responsible contractor" reforms will represent a significant step toward ensuring that only those companies and businesses with a history of displaying business ethics and integrity, as defined by the regulation, have the right to be awarded a government contract; and

WHEREAS, the passage of the Anti-Scofflaw regulation will also specify that a contractor's "capability" to perform a contract includes "the necessary workplace practices addressing matters such as training, worker retention, and legal compliance to assure a skilled, stable and productive workforce;" and

WHEREAS, in addition to helping to establish the principle that the federal government should not do business with repeat or serious corporate lawbreakers, the Anti-Scofflaw regulation would also end the practice by which the federal government reimburses contractors for conducting anti-union campaigns;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby lends its support to the Anti-Scofflaw regulation and encourages Pennsylvania's Congressional members to support the successful passage of this important and meaningful legislation.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much.

Members of Council and to the public, this is a very critical legislation. Certainly it actually mirrors, on a federal level with many municipalities including our own City of Pittsburgh has attempted to do by way of trying to better define what should be a lowest responsible bidder. That's a very general term. It's easy to figure out the low bidder because you're just basically calculating arithmetic. But, that catch phrase of being a responsible bidder and this Council, in the past, has supported chances in our own local court of ordinances that would better reflect who should be allowed to be an eligible bidder on city work and the expenditure of tax dollars.

If we could only magnify that a thousand fold at the federal level. I think it's clear and, certainly, upsetting to residents and taxpayers throughout the United States that we continue to use our federal dollars, the money and resources that we have at the federal government, to reward contractors that, on the other hand, the day before, may have been found guilty in federal court for polluting a river or engaging in anti-union bias where they're taking tax money and actually engaging in union busting organizing drives and (inaudible). So, this needs to stop.

I do appreciate the leadership of the Clinton Administration on this. I saw a couple of these gentlemen outside a couple of weeks ago leafleting. I stopped and I didn't actually know what it was because the phrase "Anti-Scofflaw" a lot of us think about local anti-scofflaws. It seemed a little bit interesting what this issue was. When I finally realized what

the regulation is and what they were hoping to advocate for, it's so important. It can have such a meaningful impact nationally on the quality of life of working people in this country.

So, we wanted to better elevate and publicize what this whole issue is all about. We're pleased that we have a distinguished delegation here. From the International Brotherhood of Painters and Allied Trades, they're an active group within the Pennsylvania and Local AFL-CIO and the Labor Council. We have the business manager, secretary of treasurer here, Anthony "Rocky" DeStefano; we have the organizing director, Ron Kneiss; servicing director, James Ellenberger; and a number of field representatives, I think they're here, Chester Poskon, Bob Nebel, Bob Biggart, John Ellenberger, Henry Johnston and Chris Geronimos. There's some other rank and file, Brother Cusick is back there. I don't know all the folks that are back there. We have some rank and file here. They're on the front line so they know how important this legislation could be.

I want to give you an opportunity to re-amplify on why this is so critical for us to support.

Thank you.

Mr. DeStefano:

Hello.

My name is Rocky DeStefano. I'm the Business Manager of the District Council 57 with the International Brotherhood and Allied Trades of Western Pennsylvania.

This proclamation is real important to us, not only to our union, but also the non-union and we represent the members here in Allegheny County along with Western Pennsylvania. We feel that this will keep the contractors back in line, that they won't be able to violate the OSHA regulations, the employment regulations and tax fraud and different things like that.

We would just like to thank City Council and Jim for their efforts in helping us with our plight.

Thank you.

Mr. Ricciardi:

Thank you, Mr. President.

If our special guests can please come forward, Sister Cabrini, Sister Mary Adrian, and Sister Christopher.

The Chair:

Stand up straight, Gene, and get your hands out of your pocket.

Mr. Ricciardi:

Mr. O'Connor is saying I should stand up straight and take my hands out of my pockets.

Sisters thank you for joining us. That just shows the fine reputation that the fine Sisters have, one of teaching, one of strong discipline, and one of sharing faith with others. We want to thank you for all of that.

MR. RICCIARDI PRESENTS:

No. 2259 WHEREAS, the Felician Sisters were founded in Poland in 1855 by Blessed Mary Angela Truszkowska to minister to the poor, the aged and the orphans of her day; and,

WHEREAS, the first five Felician Sisters came to North America in 1874 arriving on November 20 in Polonia, Wisconsin to work with Polish immigrants and Native Peoples; and,

WHEREAS, from these five Sisters grew eight provinces in the United States and Canada now numbering nearly 1500 religious; and,

WHEREAS, in 1888 the first Felicians, led by Sister Mary Cajetan, one of the five pioneer sisters, arrived on the South Side of Pittsburgh to work in St. Adalbert Parish among the immigrants; and,

WHEREAS, in 1920, the province of Our Lady of the Sacred Heart was officially established to serve southwestern Pennsylvania and continues to do so to this day in teaching, health care, religious education, parish ministry and social services; and,

WHEREAS, the Felician Sisters approach the Millennium filled with gratitude for the past, hope for the future and zeal for the holy work of God among the people of southwestern Pennsylvania;

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates and commends the Felician Sisters during the 125th Anniversary of their Presence in North America.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues.

Thank you Sisters for being with us. If I could please represent this to you three and, hopefully, one or more of you will come up and say a few words and also invite us to the liturgy coming up on Sunday.

Sister Mary Cabrini:

Good morning.

My name is Sister Mary Cabrini. I am the Prevential (phonetic) Minister of the Felician Sisters of Pennsylvania. Our headquarters is in Coraopolis.

I and my two colleagues here, who assist me in the administration of our province, thank members of City Council and thank also Mr. Ricciardi for the proclamation and the congratulations on our 125th Anniversary.

As you heard in the proclamation, our time in the City of Pittsburgh actually dates back to 1888. We have been proud to work and serve among the people of God here in this City and in other areas where he has called us. We look forward to a future filled with hope as we move into the 21st Century.

On Sunday, November 21st, which is actually the birthdate of the

congregation, we are celebrating at St. Adelbart (Phonetic) worship site on the South Side of Pittsburgh with a 12:00 noon liturgy, celebrated by Bishop Donald Whirl, a number of Priests with whom we have worked. We would like to extend the invitation to as many as are able to be there and to thank God for our many years here in Pittsburgh and, hopefully, in the future. That liturgy is at 12:00 noon.

Thank you, again.

Mr. Ricciardi:

Colleagues, I know you're busy and diligent with the work before you. But, if you'd like to join us, I'd like to have a picture for the South Pittsburgh reporter. So, feel free if any of you or all of you would like to join us.

Thank you, colleagues.

Our next resolution, Michael Radley is also here with Parks and Recreation and our other honored guests with the Emergency Police of the City of Pittsburgh, if they could please come forward.

Thank you very much.

Obviously, it's always nice to see a group of volunteers help the City of Pittsburgh in our many, many events that we have throughout the year.

MR. RICCIARDI PRESENTS:

No. 2260 WHEREAS, the Emergency Police of the City of Pittsburgh was founded in July 1966, as a civil defense organization, to assist with multiple-alarm fires, train wrecks, floods,

and natural disasters in a non-criminal function.

WHEREAS, the Emergency Police has served Citiparks Special Events with crowd control, traffic direction and security measures since 1989.

WHEREAS, the presence of the uniformed Emergency Police officers provides the public with the added assurance of a safe and memorable event experience for Pittsburgh's families.

WHEREAS, the Emergency Police provide officers to the Great Ride Course, safely directing thousands of cyclists through the City of Pittsburgh's many major arteries and dangerous intersections.

WHEREAS, the Emergency Police provide the invaluable service of course closure and redirecting vehicular traffic to ensure the safety of race participants as well as the safety of the general public at the Greenfield Glide 5K, Brookline Breeze 5K, Riverview 5K, and the Regent Run Around the Square 5K.

WHEREAS, the Emergency Police direct a steady flow of traffic, assist in the parking of handicapped vehicles, and patrol the grounds at the annual Frick Environmental Center Maple Festival in April.

WHEREAS, the Emergency Police serve as backup to Pittsburgh Police at the City of Pittsburgh's Richard S. Caliguiri Great Race 5K and 10K Start Lines, ensuring a smooth and safe start for over 9,000 participants.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City

of Pittsburgh commends the Pittsburgh Emergency Police Bureau for its continuous support of the City of Pittsburgh Department of Parks and Recreation and its many and diverse events.

MR. DIVEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Michael, if you could please join us and introduce us to your honored guests.

Mr. Cannon:

Good morning.

I'm Pat Cannon of City Parks. On behalf of your department and the Office of Special Events, I'm delighted that these gentlemen could join us this morning to be recognized for their efforts. They truly help us out. They've been a very valuable asset. They volunteer countless hours at many, many events over a number of years. For that, we're most appreciative.

John Guinther has led this group for so long, every since I've been here. At this point, I don't know if John wants to say anything and introduce his colleagues here.

Mr. Cerminaro:

Hi, my name is Rick Cerminaro. Good morning. I'm the First Deputy for the Emergency Police of Pittsburgh.

I'd like to thank Council for recognizing us. We've put a lot of good service. I'm sure as you've been around to the different events, you've seen. Well, this is who we are.

I appreciate it and I look forward to serving the City of Pittsburgh in the year 2000. This is our Commander John Guinther. We have our First Sergeant Joe David with us this morning.

Thank you very much.

Mr. Udin:

Thank you, Mr. President.

I'd like to ask Professor Dennis Brutus and his guests if he would join us up front.

Colleagues, throughout the world the two greatest, most significant twin evils that have been struggled against have been Jim Crow segregation in the United States and South African apartheid. They have become the watershed symbols of people struggled for freedom and democracy around the world. I am honored to present today one of South Africa's major freedom fighters, Dr. Dennis Brutus.

Dr. Brutus was imprisoned on Robin Island, the Island that has become known for having imprisoned South African President Nelson Mandella. After that time, Dr. Brutus sought political (inaudible) here in the United States. He has become an esteemed professor and an accomplished and declared poet.

He's attempted to retire on several occasions, always to be pulled back into

service. This time he promises to retire for good and I hope he does. We will miss him as a comrade in the struggle, but everyone deserves to be able to sit down and rest at some point especially after such an accomplished career as Dr. Brutus has served.

In keeping with his commitment, he turned his retirement party into a conference with a panel discussion. So, you know how committed he is, he wouldn't let them just have a reception and give him (inaudible). He had to somehow connect it because the fight for democracy and freedom continues.

You have served your country and your people and all humanity well. You are indeed a good and faithful servant of the people and a faithful servant of freedom.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 2261 WHEREAS, on November 12, 1999, the Department of Africana Studies honors Professor Dennis V. Brutus for nearly forty-years of human rights activism, and poetic creativity; and

WHEREAS, Professor Brutus, one of Africa's leading literary ambassadors, whose work explores life under the oppressive regime of South African apartheid and the feelings he carried from the weight of being exiled from a country he loved, Professor Brutus is held in highest regard for his significant contributions to poetry, and whose poems have garnered him international honors such as the Mbari Award for Poetry in Africa, Langston Hughes Medallion, Award for Academic Excellence, and the

First Annual Paul Robeson Award "For Excellence, Political Conscience, and Integrity"; and

WHEREAS, Professor Brutus through numerous civic, community, and social organizations has demonstrated a willing and desire to search and fight for justice for all human beings. Serving as the Co-President for "Jubilee 2000 Afrika" who's goal is the elimination of all the debt owed by Africa to the World Bank as well as a board member on Jubilee South South, and as a patron of Jubilee 2000 South Afrika Professor Brutus continues the struggle for international justice and equity; and

WHEREAS, he maintains consistent community involvement with such activities as sitting on the Board of the Center for Campus Organizing, the American Civil Liberties Union, National Coordination for Community Justice, Amnesty International, Thomas Merton Center, and numerous other international, national, and local community organizations that function to ensure freedom, justice, and equity to all human beings.

NOW, THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh joins The Department of Africana Studies in honoring Professor Dennis Brutus for the many ways in which he has helped to ensure justice for all humanity.

MR. FERLO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Udin:

This resolution is co-sponsored by myself and Councilwoman Valerie McDonald. Valerie, I would like to ask you if you would please join us and give a few words of welcome to Dr. Brutus.

Ms. McDonald:

Dr. Brutus has been around for a while. When I was in school at Pitt, I knew of Dr. Brutus. I wish him well in his "retirement." I don't think he's going to be fully retired. I think he'll still be quite vocal and you'll still hear from him. But, he left a legacy for the department to follow. I would just hope that the department is up to the task, can fill those shoes, because they're awfully big, to be able fill the task that he left.

I wish him well and to say God bless him in all endeavors. We look forward to his continued activism, not only with the community but still you're going to maintain that link with the Department of Africana Studies.

Congratulations, doctor.

Dr. Brutus:

Good morning.

As you have heard, my name is Dennis Brutus, currently a professor at the University of Pittsburgh. I have just been elevated to the status of emeritus professor in the Department of Africana Studies.

It has been a pleasure to serve the university and the community here in the City of Pittsburgh. So, I'm grateful to the

City Council and particularly to Councilman Sala Udin and Councilwoman Valerie McDonald for this honor, which I assure you I greatly appreciate.

As Councilwoman McDonald has said, I will probably continue to be active, continue to serve both this community and wherever else I might be, whether in South Africa or the United States, to serve the cause of social justice of human dignity and the respect for the rights of everybody. In fact, I expect to be in Johannesburg later this week. Then return to Seattle at the end of the month when, as you know, there will be major activities in relation to the summit meeting of what's called the World Trade Organization.

So, my work continues and I will draw energy and encouragement from this proclamation and from the support I received from the City of Pittsburgh. I thank you very sincerely.

Thank you.

The Chair:

Would Bishop Trent and his family please come up, Mr. Thomas, Pamela and Ken. I apologize, I didn't think with the children we should have brought you up first, but the children were behaving very well.

It's an honor and privilege to have you here, Bishop. On behalf of all Pittsburghers and all of Council, we want to thank you and congratulate you on your hard work.

MR. O'CONNOR PRESENTS:

No. 2262 WHEREAS, Maurice C. Trent, Sr., was ordained by ECA in 1970 and started and evangelistic ministry with his family; and

WHEREAS, God has placed on the heart of Reverend Trent a burning desire to bring salvation to every unsaved man, woman and child; and,

WHEREAS, Reverend Trent has worked tirelessly to manifest the burning desire of his heart by preaching and teaching the word of Christ and establishing faith based programs to feed the hungry, counsel drug and alcohol addicted youths and adults, organize recreational activities for youth, teach life skills to unwed mothers, teach conflict resolution skills to families, provide homeless men, women and children with food and clothing and shelter and minister to individuals incarcerated in jails and prisons; and,

WHEREAS, the faith and works of Reverend Trent serve as a lighthouse whose bright light shines upon our city's turbulent waters to guide wayward souls to Christ; and,

WHEREAS, in recognition of his tireless work and steadfast faith, Reverend Maurice C. Trent, Sr., who has devoted his entire life to being an upright man of God was elevated to the holy position of Bishop.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and congratulate Bishop Maurice Trent, Sr. for his tireless dedication; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 8, 1999, to be "Bishop Maurice Trent, Sr. Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Reverend Trent:

I'm Reverend Gregory Trent. I'm the son and the assistant to Bishop Trent. Bishop Trent has been through quite a bit physically this year almost losing his life on a couple of different occasions but refused to stop. I would like to thank the distinguished gentlemen and women, City Council, on his behalf for this proclamation.

It is our goal with Lighthouse Outreach Ministries and Lighthouse Church to continue to reach out to this community. It is our motif that if we reach one man, then we create a better man and create a better family then we create a better community, city and, henceforth on to create a better world.

Thank you very much.

Amen.

With us here today is my wife, Edwina, with our children, Christian and Maurice; one of our ministers, Minister Kenneth Ligons; Sister Ligons who takes care of our television ministry and also a very good friend of the ministry and a

very, very big help to us and a dear friend, Mr. Jeff Thomas.

Thank you.

The Chair:

Would Dan Oshop please come up and Dan Katina.

Here with this guy, you're going to think he's crazy, but wait to you hear what he's doing. I don't even know that I want to admit that I know you and you live in my neighborhood.

Actually Dan Katina here is the Director of Marketing and Communication with the American Cancer Society. Dan Oshop, I'll read the proclamation and it will tell you what he's up to and what he's going to do for 366 days. He's leaving Pittsburgh and Greenfield. Will I still be able to get ice cream at your shop?

MR. O'CONNOR PRESENTS:

No. 2263 WHEREAS, Dan Oshop is a committed Athlete and the owner of Bruster's Old Fashioned Ice Cream & Yogurt Shop, a construction electrician and member of I.B.E.W. L.U. 712; and

WHEREAS, Dan Oshop will be riding in the Odyssey 2000 for the benefit of the American Cancer Society, which will receive at least 80% of the proceeds; and,

WHEREAS, Odyssey 2000 is an around-the-world bicycle trek lasting 366 days from January 1 to December 31, 2000; and,

WHEREAS, Odyssey 2000 will include 250 participants accompanied by a

staff of 34 and several vehicles who will cycle through at least 4 dozen countries, traveling over 20,000 miles; and,

WHEREAS, Odyssey 2000 cyclists will average about 77 miles and two rest days per week; and,

WHEREAS, Dan Oshop's Odyssey 2000 Gala will be held on Friday, November 26, 1999, that includes dinner, a silent auction, entertainment and dancing as he prepares to begin his journey to raise funds benefitting the American Cancer Society.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish Dan Oshop and all of the Odyssey 2000 participants the very best during their trip; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does congratulate Dan Oshop and all of the Odyssey 2000 on their honorable and noteworthy efforts and does hereby declare Friday, November 26, 1999, to be "Dan Oshop Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

I guess I want you to talk about the bike ride, but also explain what you're doing at Seven Springs to help raise money.

Mr. Oshop:

Thank you.

My name is Dan Oshop. Bob covered just about everything I was going to say.

I signed up to do the trip in 1994. I signed up early because you have a lot of things to get straight in your life before you can do something like this. The ride is over 20,000 miles, 45 countries, and 6 continents. There will be 240 people. The average age will be about 52 and the median age 49.

We leave January 1st in the Rose Bowl Parade and we head out through Mexico, Central America, South America, South Africa, Southern Europe, then back to the United States, then over in Northern Europe, Australia, Asia, New Zealand, Hawaii and, then, back to San Diego and right back up to LA to the Rose Bowl Parade again hopefully in the year 2001.

There's 18 flights, 11 boat rides and 1 train ride. The train ride is from North Vietnam to South Vietnam. We have put all our belongings in a locker, 17 x 17 x 36. That's the tent, sleeping bag and all your clothes for a year, which won't be the easiest thing to pack for.

The gala we're having November 26th at Seven Springs, it will be a dinner dance. Everybody's welcome. If you need any more information about it, you can contact the Cancer Society.

Thank you.

Mr. Katina:

I just wanted to say that the American Cancer Society is thrilled that Dan has selected our organization to raise funds for it during his bike ride. We are supporting him in every way we can. We hope that the community gets together and supports him as well.

Thank you.

The Chair:

We have some to be read into the record.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2264 WHEREAS, the Jewish Sports Hall of Fame of Western Pennsylvania was established to honor and recognize Western Pennsylvania's outstanding Jewish athletes and notable members of the sports world who have distinguished themselves through their significant contributions to the community both on and off the field; and,

WHEREAS, on Sunday, November 14, 1999, the following individuals will be recognized for their contributions to sports and their leadership in their community, by their induction into the Jewish Sports Hall of Fame:

Paul Daniels, Esq.
Frederic Feldman
Arthur Goldberg
Steven N. Greenberg
Bruce "Buddy" Valinsky

Ziggy Kahn Award
Lenny Silberman

Special Service Awards
Eugene & Terri Tanne

Joel & Debbie Sigal

Posthumous

Paul Landau

Allen (Elly) Lindner

Ben H. Richman

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the 1998 Jewish Sports Hall of Fame inductees and joins with the Jewish Sports Hall of Fame in recognizing them for their efforts to make Pittsburgh a better place in which to live and play; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby convey its best wishes to Josh L. Sivitz, President of the Jewish Sports Hall of Fame of Western Pennsylvania, Banquet Chairman Stanford G. Davis, Esq., and all members of the Hall of Fame and declares Sunday, November 14, 1999, to be "Jewish Sports Hall of Fame of Western Pennsylvania Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MS. MCDONALD seconded the motion. Which motion prevailed.

Also,

No. 2265 WHEREAS, Mom's House was founded in Johnstown, Pennsylvania and incorporated in the Commonwealth as a non-profit agency in 1983, with a goal of enabling its clients to complete their education to an employable level and break the welfare cycle; and

WHEREAS, Mom's House is a non-profit, fully licensed, comprehensive

support center that helps single, low-income, student parents stay in school by offering free services that include child care, tutoring, counseling, support groups, assistance in job placement, life skills and stress management; and,

WHEREAS, in 1984, Mom's House was established in the City of Pittsburgh and now includes a facilities in Swissvale, North Side and Brookline; and,

WHEREAS, Mom's House is celebrating its fourth annual "Courageous Woman Award" on Friday, November 12, 1999; and,

WHEREAS, Carol Brown has been named the "1999 Courageous Woman" for her continued and unflinching dedication to various civic activities, including City Theatre Company, Allegheny College and the National Assembly of State Arts Agencies.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Carol Brown on receiving this well-deserved honor; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby thank Mom's House for their dedication and commitment to serving student parents and does hereby declare Friday, November 12, 1999, to be "Mom's House Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will take public comments. Anyone wishing to address Council, please come to the microphone and give your name and address for the record. You have three minutes to address Council.

PUBLIC COMMENTS

Ms. Urquhart:

Good morning Council.

My name is Dorothy Urquhart. I reside at 5811 Penn Circle North in East Liberty.

I come here to City Council because I am tired of paying for renovations that was never did. My money was handled by the URA. I have been robbed and taken advantage of and there is no one to turn to to help to make the URA to be accountable for the homeowner's money and renovation.

Since they were paid a contingency fee to oversee the money and the construction, what happened to my money? The people in charge know that I am a poor woman and a poor black woman that do not have the funds for an attorney. They feel comfortable in whatever they do because there's no one overseeing what they are doing and not doing to the little people in this city.

I have been asking that the ones responsible for the mishandling of my money and property since 1991, to correct the wrong that they did to my property. I

have asked them to fix my house as the specifications called for.

Larry Landie and Dennis Davin were the two people that were in charge from the beginning with my house. They made it very plain from the beginning that they did not want me in that house and have did everything to keep it from being renovated. There has been a lot of sabotage did to this property. The house was purposely left without rainspouts. All houses need rainspouts.

I have paid back through PNC Mortgage since 1991 over \$56,000.00 for renovations that I never received, plus the cost of the poor condition of my house, the utility, gas, electric and water is very high. All my windows are not in so I lose a lot of heat out of all of the cracks.

I must leave my water running in the winter when it's very cold to keep pipes from freezing. My heat is going through cracks. The furnace runs constantly, which keeps the water pumps running which makes the high gas and electric bills. Altogether I am paying over \$1,000.00 a month and live like a homeless person.

I am a victim, not the villain. I must make it clear that what happened to my house was no accident, it was all planned by Larry Landie. Anyone with sight of their eyes could see the wrong that has been allowed to go on. Everyone that stands by and lets this happen is guilty of the cover-up.

It is truly a shame that the URA has offered me \$40,000.00, but I would still owe \$52,000.00 to the bank for renovations that I had never received. I have paid back to the bank over

\$56,000.00 since 1991. I have been paying for renovations that I never received. Is there anyone out there that can help me?

Rabbi Hirt:

Good morning.

My name is Rabbi Hirt from the Perry Central Neighborhood Council and also Temple Bethel Church of God and Saints of Christ.

Councilmen, I've had a change of heart this morning. I think God has changed my spirit this morning. But, I would like the City of Pittsburgh to reimburse the Church of God and Saints of Christ \$1,050.00. This expense was incurred for the closing cost of 2650 Perrysville Avenue. This is the proposed site for our Tabernacle.

The reason why I'm asking the City of Pittsburgh to reimburse this money is for the simple fact that this was a tax excluded property, it was one of the properties that was purchased by the Perry Central Neighborhood Council. What has happened is we had to pay this money because the City of Pittsburgh did not take the liens off the books at the (inaudible) office. So, I had to hire an attorney, Weisman, Bowan and Gross, in order to see that the liens were removed, the city liens and also the county liens.

I'd like to submit this bill to City Council for consideration.

Also, Councilmen, last night the Perry Central Neighborhood Council were supposed to convene at McNaughton High School. There was a permit applied for

and approved for use to hold a special election for the nomination of a new vice president, secretary and a treasurer for the Perry Central Neighborhood Council. For the second time, the school was closed and there was nobody there to open the school. Excuse me, the janitor was there. I was pounding on the door for over 45 minutes, from 5:30, the meeting was suppose to take place at 6:00, and I was pounding on the door until after I left at 7:00 waiting in my car for the janitor to come out.

I would like the City Council to investigate this matter because this is the second time. The first time was the summer before last when we were trying to procure funding for the Early Childhood Initiative in which the school was approved and we were, again, denied access to the school. Last night was the second time.

Also, Councilmen, I learned a very valuable experience yesterday in going to court for harassment with Magistrate Oscar Petite. I want to enter into the record, as a matter of statement today, the lesson that I learned was that after sitting in court for 3 1/2 hours to hear a case on harassment, finally when we get up for the hearing, --

I'll come back tomorrow, Councilmen.

Thank you very much.

The Chair:

Anyone else wishing to address Council?

Hearing none, we will move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 2266 Resolution amending Resolution #997 effective January 1, 1996 providing for the leasing of a space located at 430 Cathedral Street, Pittsburgh, PA 15210, in the 16th Ward, from the lessor, St. John Vianney Parish, 823 Climax Street, Pittsburgh, PA 15210 for the purpose of establishing a Community Oriented Police mini-station, effective October 1, 1999 and renewable annually, at a cost to the City of not more than \$70.00 per month to off-set the cost of utilities.

No. 2267 Resolution providing for the leasing of property and building located at 930 Saw Mill Run Boulevard, Pittsburgh, PA, in the 20th Ward, from the Department of Transportation, State of Pennsylvania, owner, for the purpose of establishing a Department of Public Works operational Sub Division, made effective November 15, 1999, at no cost to the City other than normal operational costs.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 2268 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the investigation, design, construction and/or remediation for critical slope failures throughout the City; at a cost not to exceed \$135,000.00.

No. 2269 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Replacement of the Allegheny Park Pedestrian Footbridge; at a cost not to exceed \$210,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 2270 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of Pickup Trucks, Plows and Spreaders for the Department of Public Works, at a cost not to exceed \$200,000.00.

Which was read and referred to the Committee on Public Works and Environmental Services.

MS. MCDONALD PRESENTED:

No. 2271 Resolution approving expenditure of moneys for Fifth and Forbes Development in accordance with the 1998 Center Triangle Tax Increment Financing Plan and the 1999 Center Triangle Tax Increment Financing Plan.

No. 2272 Resolution approving execution of a Maglev Infrastructure Support Cooperation Agreement by and between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh in connection with the Transfer of a portion of the City's Parking Tax Revenue to the Authority.

No. 2273 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh ("Authority") providing for

the transfer of \$250,000 from the Authority to the City to pay part of the cost of a retaining wall on Dakota Street (Council District No. 6).

No. 2274 Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Stephen Gombas, or an entity to be formed, for the sale of Disposition Parcel 2 in the 15th Ward of the City of Pittsburgh, in Redevelopment Area No. 40, Block 56F Lots 118, 120, 121 & 122 -- 4901-4909 Second Avenue -- Council District No. 5 (commercial construction).

Which were severally read and referred to the Committee on Housing, Economic Development & Promotion.

Mr. Ferlo:

I don't know that we ever heard back what the game plan relative to Council's involvement is on the Forbes/Fifth approval process. I noticed this bill today, I assume that we will start to talk about how to redirect funds from the Mellon and PNC, which is fine. But, I wanted to know procedurally are we going to have a public hearing on that bill? If so, are we waiving Rule 8 or what?

Mr. Hertzberg:

There's a redevelopment plan that has to come here for a public hearing. That's now, I believe, still before the Historic Review Commission. It went to the Planning Commission, it goes to the Historic Review Commission then it will come here to City Council for approval of the redevelopment plan which would require us to hold a public hearing. I don't

know if we want to hold other ones on this bill or not. But there would already have to be, at least, that one.

Mr. Ferlo:

My concern, Mr. President, and I would ask for your guidance and also Councilman Udin's and others. There seem to be a series of bills that I think Council, at least, wants to take some time to deliberate on. We're now at the date of November 16th. We're in the middle of a budget situation and I'm wondering are we going to move expeditiously and try to resolve a lot of issues now or should we just tell the Administration to reintroduce all these bills January 1st.

I'm also concerned about the smaller business community in Forbes/Fifth. This is the height of their ability to survive for the whole year. Anybody in a small business retail knows that it's the last month and a half sometimes that's going to determine whether or not you're going to sink or swim in a given year.

I'm wondering is this on a fast track like the ballparks and everything else or are we going to actually be able to have some critical input? I'm asking for some guidance from the Presidency on the schedule of these hearings, assuming we're going to have hearings.

Mr. Udin:

This particular bill that's before us does not, in itself, require a public hearing but, certainly the redevelopment plan will. I think that the Administration and the URA would like to see us hurry through the approval process. I think that we ought to take our time and make sure that we have considered all of the input of Council

and all of the stakeholders and set our own timeline for this approval. The Administration has had several years to develop its position. Certainly Council cannot be hurried through this process just to accommodate the Administration's timeframe. I think that everything ought to be held unless there's some specific reason why it ought to be approved separate from Council's approval of the overall Fifth and Forbes plan.

I certainly am busy in discussion with business owners, with property owners, with the preservationist and architects and other stakeholders in this whole process trying to create a structure by which those stakeholders and Council can monitor and make input to this process throughout the life of the development of the plan, not just at the beginning, but throughout its entire life. There are a number of different ideas that we are exploring to try to create that.

I think it would be a mistake if we allowed ourselves to be rushed through this to just rubber stamp what others have been pondering over for several years.

Mr. Ferlo:

I'm pleased to hear that. Actually my specific concern and resolution that I would ask that Council consider by way of a consensus, at least, through you, the President as the Chairperson who would convene these hearings. On a practical matter, all these ordinances and resolutions, in effect, are dead at the end of the year, December 31st and they have to be reintroduced. Could we not just agree now that we will keep and (inaudible) all the various ordinances and resolutions that will come forward and, basically,

reintroduce them January 1st then schedule appropriate hearings, rather than you having an end run or an expedited process during this whole budget deliberation process.

I think we should try to be myopically focused on the whole budget situation and just put everybody's calm to rest especially the stakeholders and the business owners in the downtown. Basically say, we're not rushing to judgment and we're going to not formally submit the bills until January 1st rather than this kind of piece mail. I'm wondering if that would be an appropriate course of action.

The Chair:

I would certainly agree with that because I'm certainly not going to vote and I doubt if any Councilmembers are willing to vote. If we turn this money over, we lose most of our control. Whether you're for or against the project, I believe this is a major part of it. I don't think it's fair for anybody, especially as you said, the small business owners, this is their busiest time. I don't think we can really hold public hearings from now until Christmas or until January; to be fair to everyone. The other part is our involvement with the budget. I don't know who would even show up from the small business if we did have a hearing from now until Christmas.

Mr. Ferlo:

I would strongly by way of introduction, whatever the Administration wants to introduce, that's fine. But, on a practical level, they're all going to be dead December 31st. I think we should just agree, if we have a consensus here, of

reintroducing everything whether it be the development plan, whether it be reallocation of Forbes/Fifth Triangle moneys from the TIF, whether it be a zoning, the Historic Preservation vote or whatever. I'd rather just see us all reintroduce everything January 1st, schedule appropriate hearings, and try to create some order out of this.

The Chair:

I would certainly agree with that.

Mr. Udin:

I would just request that since the bill was introduced today, we can do exactly what Councilman Ferlo suggests which I support. But, I would rather wait until we meet at the next Standing Committee meeting to give us the time, myself and Councilman Hertzberg, to make sure that there is no reason that we're not aware of that it shouldn't be acted on before then. If there's no reason, then I would certainly entertain and even make a motion to table until January 1st.

The Chair:

There is no motion to Rule 8 so it doesn't look like they're rushing it through.

Mr. Ferlo:

Just as a personal comment on my part is one, legislators are being asked to vote on this. I'm very much in favor of a major emphasis on the Forbes/Fifth retail. But, I'm not going to rush to judgment. So I would ask that the smaller business community that's effected, please don't call my office because I'm not voting on

anything this year. As far as I'm concerned, everything should be reintroduced in January and we should go about some kind of order and sensibilities in terms of how we review and critique and comment on and finally vote on any proposition that the Administration is submitting.

Mr. Cohen:

Just as a point of information. There's currently scheduled a public hearing on Fifth and Forbes for December 14th. So, I assume if Council decides, as a whole, not to take up this issue until the beginning of the year that would have to be canceled.

Also, just to add into the mix, there is a decent chance that Council will have to take up the cable franchise renewal agreement also in December. I don't know how we can do all three, the budget, franchise renewal and Fifth and Forbes.

Mr. O'Connor:

The public hearing for December 14th was canceled.

Right now, I think we're all in agreement. I believe Mr. Udin has a good suggestion. Let the Administration come to the table next Wednesday and if there is any hitches. But, I believe all of us are in agreement that there's no rush to do this especially with the holidays and our extremely busy schedule with TCI cable being another one.

So, we can make that any thoughts by next Wednesday.

MR. RICCIARDI PRESENTED:

No. 2275 Resolution authorizing the issuance of a warrant in favor of Lewis Brothers and Sons, Inc., for the purchase of equipment and supplies in an amount not to exceed Twenty Six Thousand Eight Hundred Forty One Dollars and Forty Three Cents (\$26,841.43) for the Citiparks Senior Interests Program; and providing for the payment thereof.

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 2276 Resolution providing for the issuance of a \$27,500.00 warrant in favor of Renee Lawniczak, c/o David J. Greenberg, Esquire, GREENBERG & GREENBERG, Suite 110 Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 96-12506 in which Renee Lawniczak suffered personal injuries from an intersectional accident with a City of Pittsburgh Emergency Medical Services vehicle on September 1, 1994 on Stanton Avenue in the City of Pittsburgh.

No. 2277 Resolution Providing for the issuance of a warrant in the sum of \$5,000.00 to Kathleen Heidkamp and Wayne E. Heidkamp c/o John R. O'Keefe, Jr., Esquire, Crenney O'Keefe, P.C., One Gateway Center, 18TH Floor, Pittsburgh, PA 15222, in full and final settlement of the action filed at GD92-8808 for injuries sustained due to an accident at a crosswalk on Virginia Avenue.

No. 2278 Resolution Providing for the issuance of a warrant in the sum of \$10,000.00 to Daniel Kovacs, C/O Avrum

Levicoff, Esquire, BROWN & LEVICOFF, P.C., 600 Gulf Tower, Pittsburgh, PA 15219, in full and final settlement of alleged violation of civil rights arising from an incident on July 23, 1992.

No. 2279 Resolution Providing for the issuance of a warrant in the sum of \$9,000.00 to Kevin R. Stewart, C/O James A. Ashton, Esquire, 211 Fort Pitt Boulevard, Pittsburgh, PA 15222, in full and final settlement of an action filed at ca 97-1240 and arising out of the arrest of Mr. Stewart on or about October 13, 1995.

No. 2280 Resolution authorizing the Mayor and Chief Magistrate to enter into an Agreement or Agreements with a check acceptance program.

Which were severally read and referred to the Committee on Finance and Budget.

The Chair:

We will move to Unfinished Business. Is there any unfinished business to come in front of Council?

Hearing none, we will move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2281:

Report of the Committee on Finance and Budget for November 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

Bill No. 2089:

Resolution amending Resolution No. 59 of 1999 entitled "Authorizing the City of Pittsburgh to enter into a cooperation agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund and the deposit therein of certain earned income tax paid by non-residential professional athletes and other non-residents who use government owned, supplied or sponsored facilities" by directing all City of Pittsburgh earned income tax paid to be deposited into the Special Parks Trust Fund. —(SPONSORED BY MR. FERLO & MR. RICCIARDI)

Which was read.

MR. FERLO moved to table the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation.

Bill No. 2170:

Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City in compliance with the Local Government Unit Debt Act by the issuance of General Obligation Bonds Series A of 1999 Bonds issued to provide funds to pay the costs of various capital improvements.

Which was read.

Also,

Bill No. 2186:

Resolution authorizing the Mayor and the City Solicitor to enter into a contract or contracts with Public Management Resources of San Antonio, as the Auditor, to comply with the Consent Decree entered into between the City of Pittsburgh and the United States Department of Justice at a cost not to exceed \$20,463.75.

Which was read.

Also,

Bill No. 2203:

Resolution authorizing and directing the Office of the Mayor, Director of City Information Systems, Director of the Department of General Services, Director of the Department of Parks & Recreation, Director of the Department of Public Safety and the Chief of the Bureau of Police to coordinate, promote, purchase and implement an **Are You O.K.? Program** in the City of Pittsburgh. — (SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 2230:

Resolution transferring the amount of \$3,000 from City Clerk Miscellaneous Services, Sub Class: 150, Account: 525500, Org: 101200, Budget Year: 1999 to City Council Education and Training, Sub Class 030, Account: 564300, Org: 101100, Budget Year: 1999.— (SPONSORED BY MR. UDIN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

Thank you, Mr. President.

I have two amendments and Councilmembers should have them in an amendment folder.

One is an amendment to Bill 2170, which is the debt service legislation. You'll find exhibit C1 and C2 which were not a part of the original legislation we present as an amendment to be included as a part of the debt service bill.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

Secondly, is an amendment to Bill 2186, which is legislation to authorize the Consent Decree audit. It increases the amount from \$20,000.00 to \$81,000.00. We had held this bill before because the trust fund did not have enough funds in it. Since then, the transfer has been made to the trust fund. There are sufficient funds. So, this amendment will amend the amount of the resolution to \$81,855.00.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Ms. McDonald:

Mr. President, I would like to make a motion to amend Council Bill 2202, the Are You Okay Program. You have the amendment as written in front of you. Make a motion first so I can get it on the table.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

There's a clerical error of some kind where, at the very end of the bill, it has Section 2, which is wrong because it follows Section 3.

So, the amendment is to do a little cleaning up and have that as Section 4 which is the numerical order and, then, to have two sub-sections. B would be the original section and A would be the actual addition. This program will be evaluated by the Administration and reviewed by City Council after one year of operation for its effectiveness and cost prior to its continued operation. It is not a detailed amendment, but it basically provides some type of sun setting if this program is ineffective, if it's extremely costly or it may be fine but it may need to be tweaked, we may need to collaborate with the county.

I'm sure that our experts in house such as, Mary Ester VanShura, which is our expert in house, in this City, that really does know about senior issues, MHMR and senior issues. I'm sure she would be very critical and very significant in this evaluation and review process.

Again, it will come before Council. Should we choose to continue the program, it will be done so at that time. But there may be some measures to tweak it a little bit. I would feel much more comfortable with this prior to affirming my vote.

The Chair:

Any further discussion on the amendment?

MR. ONORATO moved to approve the amendment.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

On the bill itself, colleagues first thank you for your initial support on a computerized telephone reassurance program here in the City of Pittsburgh for the elderly and also for persons with disabilities.

First, I would like to thank Councilmembers Cohen and Hertzberg regarding the amendment that they brought forward making the program available to those with disabilities. After carefully reviewing the research that we've done in our office, we have noticed that the other 100 municipalities throughout the nation that have such a program have definitely made it available to those people with disabilities.

Unfortunately, and I do apologize, it was not part of the original resolution. But it just shows the continued homework that Councilmembers do. If you look at

past history, you will always notice that Councilmembers Cohen and Hertzberg are always there to champion those with disabilities and to make sure that they're fairly treated here in the City of Pittsburgh. So, I'd like to thank those individuals.

Colleagues, obviously, I'm not going to rehash the debate. I just think it's a program that is definitely worth exploring and, hopefully, implementing and hopefully with positive benefits. I think the elderly in the City of Pittsburgh have definitely given of their sweat, tears and blood in order to build a better Pittsburgh for all of us. Society will always be treated or society will always be evaluated on, I think, the way we take of those that are most in need, the elderly, the frail, people with disabilities and children. I think in this case we're developing a computerized reassurance program that has definitely a positive track record throughout the nation.

It's really a take off what's been done here in Allegheny County by Commissioner Tom Foerster and others, but it's done by volunteers. There's just no way that a group of volunteers can reach the numbers that this software can reach.

I think what's important to note and, once again, I'll bring out to the table, that once an alert is established on the computer, that is that a participant has not answered their telephone, that three contact people will be contacted. These are three people that have agreed to be part of the program. Three people that realize what their responsibility is. In all likelihood, it would be very rare and far between that we will be dispatching police officers.

Once again, the phone conversations I've had on Friday and Monday with other municipalities that have this in effect, find it very, very rare that they have to dispatch a police officer. The number of times they have dispatched police officers are with positive effects and that is where someone was definitely in the need of help.

This is something I also want to say that I've made a commitment to all of you and to the Administration that I am going to work very closely with and I volunteered to work with the Administration on this. I'm very pleased to say that they put Duane Ashley, a very able, respected director, in charge of the program in order to make it work. I think with Duane Ashley comes certain resource people, such as Mary Ester VanShura who I think will do a very fine job.

So, in closing, I just want to say that I think this is government reaching out to the elderly and persons with disabilities. I'm saying that it's going to be very little cost on our end, if any at all, sponsors have come up. It's definitely a program, a tool that I would like to offer to make sure that our elderly and others in the City of Pittsburgh are doing very well and to make sure that they're not in need of immediate supervision, immediate help or medical attention.

I'm very pleased with this and I think it's going to work. It's not going to be an administrative nightmare because once you do the sign-up, there's very little maintenance that occurs.

I think the sign up is going to be very important because it's going to bring

the community together, it's going to bring volunteers out, it's going to get us more in touch with the elderly segment here in the City of Pittsburgh. So, I'm looking at it as something positive that will be coming to fruition here.

Once again, I want to thank everyone. I want to point out though that Jim Ferlo and Bob O'Connor have been doing this in the past at a smaller scale. This is going to be big time though and I think we're going to pull this off.

Thank you.

The Chair:

Again, I want to congratulate you. I've heard nothing but positives.

I think you hit the nail on the head with your last couple of comments. Mary Ester and Duane, our Parks, do a fantastic job with serious, especially those who come to our centers. There is that element and the people who can't get out, you're certainly bridging that gap. So, hopefully, just meeting them and getting them to sign up there may be other programs we can help our seniors with.

I also think you hit a good point that we're working with the Administration, the county because that's basically their responsibility, and also bring our state representatives in. If there is any funding, they should be more than happy to help support it. So, it can be a real joint effort by everyone.

I want to commend you for this tremendous effort.

The bills are now ready for final action. All in favor --

Mr. Ferlo:

I just wanted to clarify that I voted no in the Committee Session on the bond issue. I'm still going to vote no. It's not because I don't believe we should go out on a bond issue, obviously we should. We need to reinvest in our capital account. I do not object to the muni mart process. Obviously, I've stated in the past that I think it's innovative and I support that. I'm voting no on principle.

Unless I'm too dense which, I guess some people might consider, I don't understand why there's such a secretive nature in not even knowing who we're giving the awards to on the vote on this bond issue. I've never voted for negotiated bonds in my 12 years of being here, through three mayors. I've only ever voted and urged the policy of competitive bidding on bond work. Two mayors prior to this mayor did not support that and, frequently, would engage in negotiated bond sales. I consistently voted no during that period. To the credit of the Mayor, he does believe in the need for competitive bid and I was able to finally start voting in favor of the bids.

But, unless I fully don't understand the process, I think it's a step backwards. I don't understand why there's such a secretive nature in the manner in which this bond was let out where we don't even know who actually are the award winning companies that are going to be receiving and selling these bonds, institutions or otherwise. So, for that reason, I'm voting no.

I also think the legal counsel fees are just outrageous. We're paying three times the legal firms what we're paying even to Grant Street Financial Advisors. I just don't understand that. Some of these folks with a briefcase and a tie make Jessie James look like a good guy. At least he had a gun and was a criminal. I just think we're paying too much out for professional service fees. I've always said in the past and I still believe it as the newest form of political patronage around Grant Street, I'm not voting for that.

Mr. Hertzberg:

I just want to repeat what I said at the Standing Committee regarding the Are You Okay Program, Bill 2203. I would just ask the Stenographer to bring my comments forward.

(See Addendum for comments.)

The Chair:

Again, just to follow-up with what Mr. Ferlo said.

It's amazing that we can spend millions and millions and the public just don't understand it. I think Grant Street advisors have done a good job. We go out and find the ways to do it. But, I still think, and I just saw him, I think he just overcharges us. I have it in black and white, but who cares. They get away with it. I guess if he's not doing it somebody else will. I would ask them to, at least, be more reasonable in their cost, especially as you bring up, the attorney fees.

The bills are now ready for final action. All in favor of the passage of the

bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Ferlo, Mr. Ricciardi and Mr. Ferlo voted no on Bill 2170)

The bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 2283:

Report of the Committee on Planning, Zoning and Land Use for November 10, 1999, transmitting three resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation

Bill No. 2095:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain property known located at 5629-5669 Beacon Street, and all of the property designated as Block and Lot

Number 086-P-196, in the Fourteenth Ward, City of Pittsburgh. (HEARING HELD NOVEMBER 4, 1999)

Which was read.

Also, with an affirmative recommendation.

Bill No. 1929:

Resolution Approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911 to Winchester-Thurston School for authorization to use an existing 2-story residential structure as administrative offices for Winchester-Thurston School, located at 5001 Bayard Street on property zoned "RT-2" Residential Two-Unit, Low Density District, 7th Ward. (HEARING HELD OCTOBER 21, 1999)

Which was read.

Also,

Bill No. 2201:

Resolution authorizing the City of Pittsburgh to submit three grant applications to, and execute relevant agreements with, the Pennsylvania Department of Conservation and Natural Resources Keystone Recreation, Park and Conservation Fund Program, and authorizing the Urban Redevelopment Authority to submit a grant application to the Pennsylvania Department of Conservation and Natural Resources Keystone Recreation, Park and Conservation Fund Program.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

On the negative recommendation, what is the number of that bill?

The Chair:

2095.

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll on Bill 2095?

Ayes and noes were taken agreeably to law, and were

AYES:

Mr. Udin

NOES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES One NOES Seven

And there not being two-thirds of the votes in the affirmative, the bill was defeated.

Roll call vote on the remaining bills.

Ayes and noes were taken agreeably to law, and were

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2282:

Report of the Committee on Public Works and Environmental Services for November 10, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2200:

Resolution vacating a portion of Beckett Way (Highland Avenue Mall Street) in the 11th Ward, 9th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 2227:

Resolution Amending Resolution No. 60, approved February 17, 1997,

effective February 24, 1997, entitled, "Granting unto Patricia Rethage, 131 Hackstown Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, and maintain and use at their own cost and expense, a driveway and guard rail on a portion of the right-of-way on Hackstown Street in the 17th Ward, 3rd Council District, of the City of Pittsburgh" so as to include certain language.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bill?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight **NOES** None

The bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2284:

Report of the Committee on Housing, Economic Development and Promotion for November 10, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.
Bill No. 2191:

Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by increasing Demolition of Condemned Buildings, Primary Project Number 2210011 by \$500,000.—
(SPONSORED BY MR. FERLO).

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bill has received the legally number of votes and has passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 2285:

Report of the Committee on Parks, Recreation and Youth Policy for November 10, 1999, transmitting sundry of ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2208:

An Ordinance amending the Pittsburgh Code at Title Four - Public Places and Property, Article XI, Parks and Playgrounds, Chapter 473, Use Regulations, Section 473.05, Behavior, in order to create an exception that would permit owners to have a dog off-leash in specific designated areas of city parks and/or greenways and to empower the Director of Parks & Recreation to ban any dogs or other pets from any OLEA or any park per se. —(SPONSORED BY MR. O'CONNOR)

Which was read.

Also,

Bill No. 2209:

An Ordinance amending the Pittsburgh Code at Title Six - Conduct, Article III, Dogs, Cats and Other Animals, Chapter 633, Section 633.06 License Fee; Exceptions, by increasing dog license fees by Two Dollars (\$2.00) Effective for year 2000 Licenses. (SPONSORED BY MR. O'CONNOR)

Which was read.

Also,

Bill No. 2210:

An Ordinance amending the Pittsburgh Code at Title Six - Conduct, Article III, Dogs, Cats and other Animals, Chapter 633, Section 633.08 Dogs at Large Prohibited, in order to create an exception that would permit owners to have a dog off-leash in specifically designated areas of city parks and/or greenways. —(SPONSORED BY MR. O'CONNOR)

Which was read.

Also,

Bill No. 2211:

An Ordinance supplementing the Pittsburgh Code at Title Six - Conduct, Article III, Dogs, Cats and Other Animals, Chapter 633, by adding Section 633.21 to create Off Leash Exercise Areas wherein persons are permitted to have a dog off-leash in specifically designated areas of city parks and/or greenways. — (SPONSORED BY MR. O'CONNOR)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

MR. O'CONNOR moved to amend Bill 2211 to add the four sites that had to be put in the resolution, striking Brighton Heights.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Just as a matter of housekeeping and clarity on the way this thing reads, it just specifies the four sites now in there. The way it reads now, you also say with the exception of seldom seen park. I don't know that we need that anymore if we're only specified four.

Mr. Onorato:

You're right. That should have been out of there.

Mr. Hertzberg:

As a matter of cleanup, I don't know if we can waive the rules to delete that so this thing reads correctly.

The Chair:

That's not the amendment, we don't need that amendment.

Mr. Hertzberg:

It's already in, you have to unamend it to straighten it out.

The Chair:

It shouldn't have been in there. I thought we took it out last week.

Mr. Hertzberg:

It's in what's in front of us.

The Chair:

Striking Seldom Seen in Brighton Heights.

MR. ONORATO seconded the motion. Which motion prevailed.

Mr. Cohen:

Thank you, Mr. President.

I do want to commend you for all your hard work on the off leash exercise area issue. It is clearly not an easy issue. I know that there's a clash of opposing sides. When it comes to dogs, there may not be any more volatile issue in the City of Pittsburgh with the possible exception of parking.

That aside, I'm skeptical of this and I think I conveyed that to you. Because with my fear that, particularly, in Frick Park where there are two locations in Frick Park that it may detract from human enjoyment of the park. That having been said, I'm willing to go along with this so long as there's an ability to retract it if it turns out not to be a problem.

I met with your Chief of Staff Doug Shields who walked me through it

and how the majority of Council can delete an off leash exercise area if there are problems there or the director of Parks and Recreation can do that as well. So, I appreciate that. I think for that reason it really is a pilot program.

So, I'm willing to wait and see what happens. But, I do have this concern. Why don't we see what results.

The Chair:

I really expect this to be a good cop, bad cop. If these things don't work and people don't use them, at the same time we're going to step up enforcement because I'm very tired and aggravated about people letting their dogs run especially around parks and young children.

To add length to it, we're kind of giving the people who need it, at least, a reason or a place to go. Otherwise, we just send rings in there and write a heck of a lot of tickets because it's one of the biggest complaints as we share Frick Park. They walk right in now and take their dog off the leash and he runs wild. They say, my dog is friendly. A lot of people don't care that your child or yourself is afraid of dogs.

At my house, I have a big cage for my dog. For some people I can let him out and for other people I can't let him out. It's the owners responsibility. I expect to step up enforcement for those who don't obey the law.

Mr. Cohen:

I appreciate that. Thanks for raising that issue. We talked about that at

the Standing Committee's meeting last Wednesday.

As I understand it, this bill includes a \$2.00 increase for licensing that will be used strictly for enforcement. So, I would hope and expect that there will be increased enforcement in the parks in the non-off leash exercise areas. In other words, the on leash exercise area which is every other part of every park that you have to keep your dog on the leash, that's the law. We'll be enforcing that law.

The Chair:

Again, we're sending a clear message to dog owners today. They aren't going to break the rules anymore. They have a small area if they want to take them off. Otherwise, the parks are for the people and the children first.

Ms. McDonald:

Councilman O'Connor I wanted to know that if in Bill No. 2208, 473.05, Section 1 under B, you have here as an addition. I wanted to make sure that this is indeed an addition that would address the concern that I had about what about a dangerous dog being allowed to run loose in an off leash area where the owner, obviously, doesn't have a clue that that dog is not quite your social animal that can be let loose with other dogs in the area. You have here, the director may ban dogs and other pets or a specific dog or other pet from areas of any park or greenway where the director determines the same may be a nuisance. Does that then address the concern that I had last week at the Standing Committee?

Mr. O'Connor:

I believe the director agreed with you that if they've been formally charged then they would have to pay on the tag. Otherwise, if a dog shouldn't be there, they would just call the director or really a cop.

Ms. McDonald:

Now, when they get this special tag, will there be some type of check and balance right then and there? When they register for this tag that if they're registering a pit bull or some other type of dangerous dog or a dog that, if aggressive, can hurt significantly other dogs, will there be a stoppage at that point of registration? Where someone who's taking the registration information says, no, then calls the director. How is that going to work?

The Chair:

If you bite someone or you're considered a dangerous dog, the state law is that dog has already been semi-convicted I guess. If you have a pit bull, we're not allowed to discriminate. So, if some person wanted to bring three pit bulls in and let them run wild, I think he would kill the project. You can say, don't bring them back then he would be warned or fined. If he continued to do it and we didn't lock him up, I guess you grab your dog and run.

Ms. McDonald:

I would just hope that the situation wouldn't get to that point. I don't want a tragedy to --

The Chair:

How do you stop somebody -- when I see pit bulls, I run and I don't care if it's on a leash. If it was up to me, there wouldn't be any pit bulls in the city. Unfortunately, we can't do that legally.

Ms. McDonald:

I think the ideal would have been to take the legal responsibility. The problem with government is it's a double-edged sword where it looks like it's easier to facilitate an idea. But, the downside may be that we have to abide by the absent letter of the law and we're more easily dragged into the court as a municipality than anyone, than any particular person, because we're discriminating.

But, if the group decided, if we allowed a park to have a designated area and allow the group, the (inaudible) group for instance, in Frick Park to manage, regulate, and control their own area, it would take that responsibility off of us as a governmental entity. It would take the legal liability away from us and it would be to them. If they're going to pay for it, manage it, run it, etc., that's your baby. We'll allow you this space in the park. Then, I think it would be a lot more feasible for them to regulate themselves to make sure there are no tragedies or problems. I think they would kind of know how to do this.

But, if the government, the City of Pittsburgh is going to do it, I realize it is a double-edged sword. I was just wondering what type of checks and balances would be in place so that there is no problem, that we don't have a tragedy that indicate -- we don't want a tragedy to squelch the idea. That's the potential right now.

Again, I applaud you for all the efforts, all the hard work. Regardless of how we want to judge people, well it's just a dog, but for a lot of people a dog is a very important and emotional component of their lives. I don't stand in judgment and I refuse to stand in judgment to mitigate that emotional passion, that emotional tie. I think it's important. No, a dog is not above a child, but these people do have a lot of love for their pets and they want the same type of services that are afforded for any other taxpayer. If that's a problem, I commend Councilman O'Connor for addressing that problem to facilitate their needs as taxpaying citizens as well as anybody else.

So, I applaud you for the efforts. I hope and pray that it runs smoothly without any snags. We'll go from there.

Mr. Hertzberg:

Thank you.

I'd like my comments brought forward from last week's meeting.

I wanted to thank Councilman O'Connor for his leadership on this. He stuck with it. I know at the inception there were a lot of critics there that didn't think there was any workable solution. He stuck with it.

I also want to thank the volunteer members of the committee that was put together. I think they did an excellent job. They spent a lot of time looking at all these different sites and trying to develop this program. I thank them for working as volunteers to help the whole city to put this thing together.

(See Addendum for comments.)

The Chair:

Thank you.

Again, to make it clear to the media this is a very small-restricted area in a few parks. One of the reasons is not just to help the dogs, but the other reason was to crack down on those who walk right in Frick Park, take them off the leash and run wild all over our parks. Hopefully, we're going to crack down on the offenders so it's a win, win for everyone.

The bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

(Mr. Ricciardi abstained on Bill No. 2209)

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2286:

Report of the Committee on Public Safety Services for November 10, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2224:

An Ordinance amending the Pittsburgh Code, Title One - Administrative, Chapter 116: Department of Public Safety, Section 116.03: Minimum Standard of Care.

The proposed amendment recognizes the recent addition of Basic Life Support (BLS) units, and removes any previous barriers to our ability to recover the operating cost of these units through Government or Commercial insurers, or in the case of non-residents, the patient themselves.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

The bill has received the legally required number of votes and has passed finally.

MOTIONS AND RESOLUTIONS

Mr. Hertzberg:

Thank you, Mr. President. I have a couple of issues that I'd like to talk about.

The first one is kind of localized in my council district, at least, as of today. The other is more of a citywide issue.

In my Council District on West Carson Street, there's a medium size brick building that, in the past, has housed a couple of different donut shops. I think that was the last time I was in there to buy a glazed donut, which was probably five years ago. Both of the donut shops went out of business. Over the last year, I've noticed some activity there, a new sign being put up that displayed the name the Tiffany's Place.

Last spring I received reports that there was an opening of a strip club, naked women dancing. Fortunately, our Bureau of Building Inspection interceded quickly. No occupancy permit had been issued and

the operation was shut down. So, what the operators of this facility did after that was they decided they were going to apply for an occupancy as a banquet hall.

The Chair:

Is this that little donut shop?

Mr. Hertzberg:

No, this is on West Carson, across from where the city used to have its facilities for that four or five period, that Gateway View Plaza, it's directly across the street. It also happens to be next to O'Nalla Club which is a facility for recovering alcoholics who weren't too pleased with the goings on there now.

At any rate, what the operator of the facility did was applied for a banquet permit. Again, our Building Inspection Department was made aware that at the time they were claiming this was a banquet facility, they were advertising in all these smut publications that this, in fact, was going to be same thing as a strip club.

So, they were hesitant to issue any kind of occupancy permit as a banquet facility. So, the operator took its argument to court. Unfortunately, beginning November 1st they were kind of issued a 30 day temporary permit to wait and see what their true intentions were, which I know what they are. I think everyone in the city knows what they are. But, nonetheless, they had to be given the opportunity. In fact, they were.

In fact, we've got a lot of evidence that this is no banquet facility, it's the same old thing. It's just a big game that these people are trying to play. They're

trying to do an end run around our zoning ordinances, which are very specific and state where these kinds of establishments can go and what the procedures are if they want to be approved. They're trying to claim this thing is a banquet facility, it's not a banquet facility.

I want to first thank everyone in the city that's worked hard to prevent this from happening. I think there's some kind of belief among the people that run these kinds of places that if they just keep trying, they find a place that they think isn't in the middle of a residential area, at least, if they just keep at it long enough we're going to tire out and give up. I want to thank the people in the city that aren't doing that.

Craig Straw in the Solicitor's Office is right up to speed on this whole thing. He's filed a motion now, it's an emergency motion to revoke that occupancy permit. It's scheduled to go for a hearing this Friday at 9:00. I hope that all the news media will take note. I think we need to send a message out to these individuals that are involved in this that the City of Pittsburgh isn't a place where you just set these things up and we ignore them. We're going to make sure that things are done by the zoning laws.

The other topic I wanted to talk about is --

The Chair:

I was just curious, you said it is legal in some other places in the city.

Mr. Hertzberg:

Yes.

The Chair:

Does it say dance hall or show place or something?

Mr. Hertzberg:

Well, in the Zoning Ordinance, it's called a cabaret. There are certain zones where it's permitted. There's a conditional use process required for approval. So, this facility never even claimed that that's what it was doing. They went under disguise, this shame, that this is a banquet hall.

The Chair:

So, any place wishing to do that anywhere in the city would have to apply for a cabaret?

Mr. Hertzberg:

That's what I'm hoping. That's why we don't need a precedence set that you can be a banquet hall. We allow banquet halls everywhere and you don't need any kind of public hearing or conditional use if this place can be a banquet hall.

The Chair:

Is there any way to tighten up the legislation?

Mr. Hertzberg:

I don't think we need to tighten up the legislation. I'm hopeful that when the evidence is presented in court Friday it will put this thing to rest. I'll be there, I'm going to watch. If there is a loophole, I'll be ready to close it.

Another topic I think is of interest to Council. The Allegheny Club in Three Rivers Stadium, I don't know if you've followed what's been going on there. They have a couple of real severe problems. Their first problem is when that stadium comes down they have no where to go. They've been trying to find another place to go. As far as I know neither the Steelers or the Pirates are going to accommodate the Allegheny Club in their new facility. They're looking for a place to go.

In the middle of that problem, they've had a problem with the labor union that represents all the employees there, the hotel, restaurant employees union. They were in the middle of renegotiating their contract. I only heard from one side, there's usually two sides. But, the labor side is, we have just received an offer from management that we felt was one we could submit to the membership. Usually meaning it's going to be approved. Within the half an hour of the time it was going to get submitted for the vote, suddenly management withdrew that offer.

The Chair:

Mr. Cohen may be able to enlighten us.

Mr. Hertzberg:

Maybe he can.

So, what labor was left with was a situation where they ended up calling a strike and, then, management ended up putting in replacement workers for the game on Sunday and there was a picket line there. My understanding is the Mayor

of Cleveland wouldn't cross that picket line. There were a lot of people that would not cross that picket line although I guess some did.

The Chair:

Just for the record, neither would the Council President or Mr. Ferlo who were actually invited. For the first time I was invited there to actually eat and I couldn't go. But, we didn't cross the picket line. I saw that other colleagues didn't cross it either.

Mr. Hertzberg:

I want to remind Council and we may consider doing something. Thanks to Councilman Ricciardi, we passed a piece of legislation that says when there's TIF financing for a hotel or restaurant that there shall be a labor stabilization contract. If one of those were in place right now with the Allegheny Club, we wouldn't be in this situation. We talk about the labor stabilization contract. That's an agreement by the Labor Union that we will not strike in return for management's agreement to use organized labor in their facility.

We left out the ballparks and the convention center when we enacted that legislation. So, there may be a remedy here on Council for that problem. Maybe other members have more information on this whole situation. But, I'd ask, at least, until this is resolved, that nobody cross the picket lines at the Allegheny Club.

The Chair:

Certainly, I didn't cross it and I saw some other people not crossing it.

Again, if there's only one year left, I don't know what the big problem is. I don't know if you know, Mr. Onorato, yet or not. To go through all of this, I don't know if it's a nickel raise. I understand they're actually cutting some of their benefits. If that's the intent and then they want us to help them with a new location, they're certainly going about it the wrong way.

Mr. Onorato:

I've been monitoring the whole situation since last Friday. Just so everyone knows, the strike is not against the Stadium Authority or the City. The Allegheny Club is a private club that rent space in the facility and the strike is against that private club. So, I want to point that out.

Two, the reason that language was removed for stadiums, if everyone can recall, was actually because there was a dispute between one union. There was turf issues involved between the teamsters that are at the stadium plus the hotel/motel workers. The compromise was to pull it out for the stadiums while the other unions were negotiating for new facilities. So, that really was an agreement between unions, why that language was pulled out and a compromise was reached at that particular point.

All I can tell you at this point is I'm trying to work out and find out if there's anyway that I can intervene or the Stadium Authority could help to try to resolve this issue recognizing that we don't represent management or the union in this particular case. We're sort of bystanders and the landlord holding the lease of the facility that's involved.

Hopefully this can be resolved soon. I've been talking to Mr. Nassan on a regular basis.

The other ancillary issue that Councilman Hertzberg brings up still exist. That is, what happens to the Allegheny Club if anything with new facilities or even in a new facility of their own that might be close to this. But, all that is still in negotiations as we speak. The strike sort of just came out of no where on this issue.

I'll be calling and talking with Mr. Nassan again today to see how far apart they really are. I'll try to talk with the management over at the Allegheny Club also, I know the individuals there and hopefully we can get this thing resolved soon.

Mr. Udin:

As you know, Mr. President, throughout the entire year of 1999, this Body has had varied discussions about how to best employ residents of the city especially ways to take advantage of the tremendous construction boom that's occurring in the city and in the region. Although we've had disagreements as to the method, I think we have all agreed that it is our intent to try to put Pittsburghers to work.

So, it comes as a surprise and a disappointment that some republican lead State Senators from outside of Allegheny County have initiated some legislation in the finance committee of the State Senate to attempt to prevent us from implementing the will of the residents of the City of Pittsburgh. Even though some of us disagreed about Pittsburgh Works,

once the referendum passed by the residents of this City, I met with the Mayor and the Mayor promised full support and implementation of the referendum. We will be meeting with the Solicitor and the Deputy Mayor to implement it.

We are all clear that anything other than full implementation of the referendum is really contempt for the residents of the City of Pittsburgh. That's the way I read this legislation that has been introduced in the State Senate. It is contempt for the will expressed by the residents of the City of Pittsburgh.

I also think that it is contempt and in violation of the City of Pittsburgh's Home Rule Charter that some state senators in Harrisburg can tell the City of Pittsburgh that they cannot place conditions on how they use money that they get from the state, which they have already paid to the state. It's really revenue sharing that we're getting our money back that we have paid to the state. It's not the state's money, it's our money.

So, the Home Rule Charter allows the government bodies within the City of Pittsburgh to determine how it will conduct its affairs. It's a violation of that Home Rule Charter for them to try to interfere in our efforts to put our residents to work because they want to try to provide a 90 percent domination of the workforce by people who live outside of the City of Pittsburgh.

The bill is also even attempting to, I believe, illegally make itself retroactive to February of 1999. It is an insane piece of legislation, which I think again is in serious contempt. I don't even believe --

Now Miss Melissa Hart, another famous republican state senator, has joined in with the initial sponsoring senators from Cambrian County. Her comments on the bill indicates that perhaps she hasn't even read the bill. She was talking about that Pittsburgh Works would keep businesses from coming into the Allegheny County and into the region. This bill has nothing to do with businesses coming in, the businesses are already here. We're talking about jobs for city residents, not whether or not businesses will be helped in or prevented from coming in. It's an irrelevant discussion that has nothing at all to do with Pittsburgh Works. So, anyone who is going to take opposition to Pittsburgh Works I would suggest they would begin by reading it.

My suggestion and hope is that the Mayor, Council, the local state of senator and local state representative, will all close ranks around the intention expressed by the residents of this city to provide employment for the residents of this city and prevent these outside republican state senators from creating legislation that would undermine the will of the residents of the City of Pittsburgh.

The Chair:

I think you made a good point. I hope they read it so they know what they're talking about.

Mr. Diven:

I'm sure members of Council have probably gotten a number of calls or e-mails regarding the ability for the police to respond to calls in individual neighborhoods. I received a number of complaints from community organizations.

Up until this weekend, my response has always been we are going to be in the process of putting another 120 officers in and we will raise the level of manpower that the Police Bureau has so that we can be in a position to answer all these calls.

In having some discussions over the weekend, I think what we really need to do is look at how we are deploying our officers in relationship to citywide events. I say this because it was brought to my attention that at the Steelers game there was, I believe, 13 officers that were provided for by the Stadium Authority and paid for by the Stadium Authority. In addition to that, the City Bureau of Police also reassigned 25 officers from other zones to go down and work either traffic or crowd control around the stadium. So, while the Stadium Authority pays for 13 officers, they get 38 officers to do the job around the stadium of keeping traffic moving and keeping crowd control.

At the same time, the thing that is bothersome to myself and I'm sure to other Councilmembers is the fact that when staffing levels were higher in the Pittsburgh Bureau of Police, on average we could expect to see 12 officers working each turn in a zone like Zone Four which I'll use because that's some of the examples that were presented to me. Now, with the vacancies that exist in the Police Bureau, on average we see six officers.

On Sunday's game, a few of those officers were taken from Zone Four and dispatched to the stadium to work traffic and crowd control, which meant we might only have two or three officers working an entire zone which is, I believe, the largest geographical zone in the City of Pittsburgh. Then, we stand back and not

have the ability to respond to calls that come in over the 911 system. I think also we have to look at how we work on other events. I know that there are officers that are reassigned due to parades or citywide events like the Regatta or the marathon or things of that nature.

One of the things that was brought to my attention was that the city actually charges a lot of these events for time and a half to provide officers. They charge them a rate of time and a half for each of individual officer. Yet, we're reassigning officers that are on duty to go down and work those details. So, the city is actually making money on reassigning officers that are being taken out of the individual neighborhoods that they are assigned to protect.

So, I would like to make motion to have the Controller's Office do a performance audit on how we allocate our officers. If we're only having two or three officers on a turn being responsible for looking after the zone that they're assigned to in responding to emergency calls, we may be opening ourselves up to a very severe liability. Especially when we start to talk about the fact that we're putting \$800 million dollars into investments for the new stadiums and they're getting three times the amount of officers that they're paying for and it's costing each neighborhood the police protection that they pay for in taxes.

With that, I'll make a motion that we ask the Controller Tom Flaherty to do an evaluation of how we assign our police officers and how we redirect them from zones to handle citywide events.

MR. HERTZBERG seconded the motion for discussion.

Which motion prevailed.

Mr. Hertzberg:

Thank you, Mr. President.

I can't speak for the rest of the city, but when it comes to Zone Four I couldn't be more supportive of Mr. Diven.

We keep being told that Zone Four has the lowest crime rate of any zone of the city so we have a lower staffing level than anyone else. Tell someone in the neighborhood in the West End of the city that when they call because of a burglary or a robbery and the nearest police officer is all the way at the other end of Brookline. Tell them that it's the lowest crime rate in the city. They don't care, they don't want to hear that when it takes the police an hour to respond to a call. We have a serious problem in Zone Four at certain times whether it be because of citywide events, whether it be because of vacations that employees of this city are entitled to take or anyone of a number of reasons. We get to some points in that zone where just the staffing level is so low it's ridiculous. They cannot respond to calls in a timely manner.

So, I'm very supportive of the concept that we need to do something on how we're deploying our police.

Mr. Udin:

I certainly support Mr. Diven's intention to try to get a grip on the use of how we deploy special services of officers for private events.

But, I just think that it would be fair to allow the chief to give us the other side of the story rather than taking one side of the story before we assign the Controller to do a study. If after we get all of the information and data we find out that a study is warranted, I would certainly support it and I think it would be called for. I think that's the proper use of the Controller's Office. But, I think we owe it to the chief to give him a chance to give us his side of the story before we assign it to the Controller.

Mr. Diven:

I can tell you that I had the chance to talk with Mr. Pecora from the Controller's Office this morning and they're interested in providing the resources to do this.

I think by having the Controller's Office to do the study it gives us more of an unbiased approved and more of a fair evaluation as to how we're deploying police officers. I'm sure the chief will be a part of doing this kind of an evaluation. But, I would be more comfortable with having the Controller's Office initially perform the audit and come up with some recommendations.

They can look at things like minimum staffing requirements for each zone or things of that nature. Then, after we get this information and we get it presented in an unbiased position from the Controller's Office, we can obviously sit down and work with the Police Bureau Administration at trying to implement the changes that are recommended or give them the opportunity to explain why they believe they have the right to or their

ability to manage the department under the circumstances they see fit.

But, I think having the Controller's Office perform independently would probably be the best way to get a real firm grasp on what's going on and be in a position to, in the end, make the most progress in regards to how we're deploying officers.

Mr. Udin:

I certainly don't oppose the Controller's Office intervention. But, my experience with working with constituent complaints is that often constituents and other people who give information give a certain perspective. You really don't have the whole side until you investigate to see what's going on. Then, you find out that there's another side to the story or there are reasons for why things happen.

I just think that before we call for the Controller's audit, which is kind of a heavy way of coming down, I just think that it's only fair that the police department have an opportunity to answer the questions to see whether or not there's a problem that needs audit investigation.

Mr. Hertzberg:

I sat at a meeting just over a year ago in the Mayor's Office with the Mayor, with the Chief of Police and with the leadership of almost every community organization in the Western neighborhoods, Sheridan, Elliott, West End, Esplen, and East Carnegie, and these exact problems were brought up by these community leaders and discussed. I really didn't feel there was really much of a

response then. It's something that's been identified.

The response is we have enough police. It was kind of like this isn't really happening. But, I think it is happening and it's been happening and there hasn't been any response. So, I think we need an analysis of the problem and maybe some suggestions for how to resolve it.

Ms. McDonald:

As a suggestion, I understand that we want an outside source to evaluate, but I have to agree with Councilman Udin is that there typically are two sides. This Council Body has been extremely supportive of our Chief of Police for instituting the type of discipline and reform that I know this Council Body and this Councilmember has desired for some time now. I don't want to undermine his efforts in maintaining the administrative control of the City of Pittsburgh Police Department.

As a suggestion, I would ask that Councilman Diven, who chairs the committee, convene an executive session if, indeed, we legally can do that. You would have to talk with the Solicitor's Office to find out if there are factors that figure in that would allow us or warrant us to convene an executive session. If not, a post agenda since this, as Councilman Hertzberg said, has been an ongoing issue, to hear from the Chief of Police.

If, indeed, after that time period, and the people that are part of the community that have been leery of how we deploy, how many officers are there, that they can listen in. If they are not satisfied and you're not satisfied and Council is not

satisfied, then I would also support the Controller to be able to do an audit.

I think we may be premature in that because we're going to be hiring approximately hundred or so officers. I don't think an audit would be valid at this time because there will be, within the next few months, within the next year, more officers. I believe that we need to keep that in mind before we expend the time and resources of our Controller's Office on a problem that may only last for a couple of months because we are hiring new officers.

In fact, when I went to the noble reception for the installation of the officers, Councilman Udin was there as well, I had spoken with someone of OMI to make sure that there's even enough people in OMI. That there is someone or some people there that can thoroughly screen these new officers that will be hired within the next few months. I was assured, yes. Then, I brought up the whole thing about background checks, civil litigation background checks, that was brought up, that was passed by Council. I'll be talking with the Solicitor's Office to see for myself the line of questioning that would ensure that there is background checks for civilian litigation that could bring up red flags when otherwise there wouldn't be.

Again, there's going to be a lot of officers on board pretty soon. I would hopefully ask just to immediately address the problem that you're bringing up, to have a post agenda, talk about it and find out what's going on. Through that discussion, there may be some clarity as to whether an audit by the Controller's Office

is warranted prior to the hiring of all these new officers.

The Chair:

If I can intercede before you say the final word. I think we're taking it a lot further than Mr. Diven intended. I haven't once gone into a police station, I've only done it once in a while of some of our parks and pools and pulled out a schedule because I asked for something we always get the same excuse, we don't have enough personnel. When you look at it, in some cases, I won't pick on the commander, but he had 12 people on daylight and I think it was 7 or 8 on night shift. He said he couldn't spare one officer to guard a school that was having a little problem. After I showed it to him and explained it to him, within a few minutes he understood. All of a sudden, there were three police cars instead of one.

What I think you're looking for is I don't care how good you are, including our own schedules, if an outside person looks at it and review it and say -- presuming the Chief is doing 90 percent right. We're not here all criticizing him, but there's probably 10 percent, whether it be vacation time or all our officers taking their vacation in July, should it be spread out. There's so much to be added. When you hire consultants to re-look at your operation all we're looking at is scheduling. We're not criticizing the police, we're just looking at deployment.

We can get into details where in Lincoln Place we have one police officer assigned and he or she is never there because there's no crime, the same old excuse and that's not fair. I'm looking at it as you are to look at the chief and assist

the chief. If it's only one idea, what do we lose? They should be honoring these schedules anyhow. So, I don't think it's a criticism to the police, it's a way to figure out how to enhance your scheduling people. I believe that's the Controller's job and he has the specialist.

I remember them sitting at the swimming pool figuring out do we have the right schedules for the people. I've been in our swimming pools on Wednesday when they had seven guards and on Saturday, they had four. It took an outsider to just say, why. Then, all of a sudden, you start looking at it a little harder. So, I think it is positive.

Again, I think with the 100 new officers, with the training and hiring and everything, they won't be on board for at least a year. Even if everything goes well, by the time they're on board, you have other people who leave or retire or quit for whatever reason. So, it's hard to catch up and it's not going to be as easy as it sounds. It's nice to put the money in the budget to hire them, but by the time you recruit, train and put them on the street, it's going to be a while.

Ms. McDonald:

Mr. President, again I think my point is that it's just echoing what Councilman Udin's point is. That is, it may be a very simple answer, it may be a very simplistic answer as to what went wrong and what can be done to make sure that whatever happened doesn't happen again. I would just hate to go through the (inaudible) of an actual audit when it's not necessary. It may be necessary or it may not. But, I would rather give the Chief of Police the benefit of the doubt to explain.

Mr. Udin:

Can we get a little information from the Public Safety Chair, have you had a conversation with the Chief about this issue?

Mr. Diven:

Actually, no, I haven't had the opportunity to discuss it with him.

But, I did discuss it with the Controller's Office. I mean, I've discussed matters like this with members of the command staff for over the past year much like Councilman Hertzberg in regards to community organizations and blockwatches.

To be honest with you, I think there's a level of frustration for myself and other members of Council because what we see happening here is the excuse has always been we're short so many officers that we don't have the ability to respond to calls or we don't have the ability to have the police presence in neighborhoods, particularly Zone Four. Yet, at the same time, we're taking officers and deploying them for citywide events.

I know we can have post agendas and I know we can have executive sessions, but I think that there's a lot of details and a lot of things that need to be evaluated from an independent position and recommendations put on the table so that we can get the most production out of it. I would believe that if we have kind of an overview and a grasp of what's going on currently and what are some of the strengths and weaknesses of what's going on currently, that will make that process

that much more efficient and that much more effective.

I know that in talking with other members of Council, they're in the position where -- one of the things we have to be cognizant of the fact is that we have police officers assigned to each zone and they're responsible for looking after that zone and patrolling that zone. If they're in a situation where, because the crime rates are lower that you can pull those police officers out of that zone and put them down at the stadium or put them down watching a parade or doing traffic in Oakland or even dispatching to other zones, then that leaves a limited amount of resources for those people. Just because there's a lower amount or a lower occurrence of crime, doesn't mean that it's crime free. If somebody's in trouble, they should be in the position where we have the ability to provide the quickest response citywide.

I think before we can get to the point where we can make progress and have the kind of discussion that starts to evaluate whether or not we're doing things as efficiently as possible, I'm not a police officer and I've never managed a police force and I would really have to defer to the command staff on the issues. But, I think by having the ability for the Controller to come in and work and develop a report that identifies best practice, principles and current history with the department as to how they allocate resources, what they've done when they were in full strength, how many officers. Do we need to be looking at a minimum staffing requirement for each zone, that a zone would always have a complement of officers on to handle those kind of responses.

I think these are questions that I can't answer. I think in a post agenda we wouldn't be able to make the progress that we need. So, this isn't against the command staff of the Police Bureau. It just kind of forces things to the top and makes us evaluate it and have the ability to, once we get to the process where we have post agendas or executive sessions, we're in the position to be asking the right questions and being focused on the right areas so that we can make the kind of progress that we need to.

Mr. Udin:

Just in closing if I may, I would also urge colleagues to use the budget discussions that are coming up. We will be dealing with the police department and we'll have an opportunity to examine this question in the budget discussion much quicker than the Controller will be able to do an audit.

It is important that we prepare ourselves for these budget discussions and make sure that they are discussions of policy as well as of budget. It's the only opportunity that we have during the year to have a really detailed discussion with the department and bureau chiefs about the policy, how they operate, what the goals and objectives are. So, we will have the opportunity to get it done however we vote today.

Thank you.

Mr. O'Connor:

Can I add one thing? Just to make it a little more positive, it looks like we're checking on the chief. But, maybe it

would send to your friends in Harrisburg that you just talked about, all the resources that we need when we build a convention center, stadiums, all our resources that are needed so that the suburbanites can get out on time and they don't have to sit in traffic and all those things. Maybe there's an added burden and cost that all the great things that happen in this city, maybe there's a way to pitch in and help support that.

Again, when somebody has an accident or a heart attack or any problem, our police, our fire or our paramedics are right there for them and we're willing to do that. Ten dollars a year doesn't really cover that. But, maybe again, if we see it in black and white how burdensome, and we like it and we're glad we have it, but maybe there's an opportunity to point out. The chief isn't complaining, he's working hard and the officers are working hard. But, maybe there's a resource that says look, this is an extra cost to us. We can go back and try to find the money.

So, I'm not seeing it as a negative against the Chief. It's just here's another set of eyes and maybe we can do it better or he can give us some ammunition to go out and get some more money and put more officers on board.

Roll call vote please.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. Ricciardi

Mr. Diven
Mr. Onorato
Mr. O'Connor
(Pres't)

AYES Six NOES Two

(Ms. McDonald and Mr. Udin voted no)

Which motion prevailed.

The Chair:

Is there anything else?

We have one or two house notes. Thursday, November 18th at 10:00 we have a public hearing on Neighborhood Infrastructure Improvements. Also, next week's legislative meeting will be Monday, November 22nd at 10:00.

While we're talking about our police, I want to congratulate them. I was at the Pitt/Notre Dame game. They did an excellent job controlling a very big crowd. It really wasn't rowdy, it was an enthusiastic crowd. Also, I want to congratulate the University of Pittsburgh. It's a shame everybody talks all week about the Cleveland and the Steelers and what happened. I wish we had a week to celebrate the outstanding job the University of Pittsburgh is doing, their total school, the coaches, football team did. It was one of the most exciting events. I've been going there since I was 10 years old. It also shows, I think, they did the right thing. That certainly the facility cannot handle the crowd that it did with the restrooms and all the concessions and ways to get in and out. So, I think we all did the right thing in building and letting the University go to the new facility.

Motion to approve the minutes?

MR. DIVEN moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn?

MR. UDIN moved to adjourn the meeting.

MS. MCDONALD seconded the motion.

And, on the motion made by Mr. Udin, the meeting was adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill 2203 and Bills 2210 and 2211 can be found in the Standing Committee Meeting minutes of November 17, 1999.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Monday, November 22, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Also, in your prayers I'd like you to remember Tony Stagno who suddenly had a heart attack yesterday. He's a long time resident of East Liberty and owner of Stagno's Bakery and a member of the Stadium Authority. He's well known and a friend to all of our Councilmembers.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation,

under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have many special guests in the audience today.

I'm sorry, if I didn't make it clear, Tony Stagno passed away. I said he had a heart attack. Unfortunately, he passed away and he will be laid out at McCabe Funeral Home today and tomorrow and a funeral mass Wednesday morning.

Mr. Ricciardi:

Thank you, Mr. O'Connor.

We have a few special guests this morning if they could please come forward. We have with us Earl Jones, Mrs. Verner, Controller Tom Flaherty and Joe Astori from the District Attorney's Office. Thank you for joining us this morning.

I'd like to take the liberty of reading the proclamation before us today.

PRESENTATIONS

MR. RICCIARDI PRESENTS:

No. 2287 Whereas, on September 26, 1999, G.B.C. Barbell, Deb's Body Shop and Peace on Earth Chairman, Earl Jones, Sr. held a benefit Bench Press

Competition at G.B.C. Barbell in Hazelwood; and,

Whereas, this benefit was held for 6 year old Erin Dougherty of West Mifflin who was born without the use of her legs; and,

Whereas, the competition was judged by Allegheny County District Attorney Stephen J. Zappala; and,

Whereas, Controller Tom Flaherty and Councilman Jim Ferlo were victorious due to the disqualifications of their opponents National Powerlifting Champion Bob Verner and World Bench Press Champion Gary Edmonson; and,

Whereas, Erin Dougherty was presented with a \$1,000 bond by Earl Jones, Senior at the end of the competition; and,

Whereas, National City Bank, Kazansky's Restaurant and Andrea Verner aided in making this Bench Press Competition a success;

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates and commends Controller Tom Flaherty, Councilman Jim Ferlo, District Attorney Stephen Zappala, Peace on Earth Chairman Earl Jones, Sr., Bob Verner, Gary Edmonson, Andrea Verner, G.B.C. Barbell, Kazansky's Restaurant and National City Bank for the dedication, time and hard work they all put towards the 1999 Erin Dougherty Bench Press Competition and Benefit.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues.

I think it's just wonderful that a group of individuals that are very busy in their own livelihood would come together and help a young person here from West Mifflin.

I'd first like to ask Earl Jones who's the chairperson if he could please come up and say a few words. Then, our other guests if they would like they could also come up.

Thank you, Mr. Jones.
Congratulations.

Mr. Jones:

It's a pleasure being here today. I'd like to thank everybody that's been involved in this contest. The winners of the contest, due to the disqualification, the strongest men in the world, Tom Flaherty and Jim Ferlo won the contest. But, the little girl got a \$1,000.00 bond that was paralyzed.

We have one request, though. The strongest men in the world sent in a sheet cake and Joe Astori was supposed to cut it and take the first piece. That's the first request when they get done speaking here. Also, I have a surprise for Mr. Ricciardi. I promised I wouldn't make a monkey out of myself today, but you'll have to listen to this later.

So, I'd like to ask Andrea Verner if she'd like to speak; Tom Flaherty and Joe Astori.

Ms. Verner:

First I'd like to apologize for my husband not being here today. He decided to retire from power lifting since his recent defeat.

I would also like to thank everyone that made this event possible, our family, the gym members and Earl Jones.

Thank you.

Mr. Astori :

Good morning ladies and gentlemen. Thank you for being here.

First of all, I'd like to take the opportunity to thank Earl Jones who is always doing fantastic things within the community. I must say that it was a great pleasure to Steven Zappala to make the disqualification and have the strongest men in the competition, Mr. Flaherty and Mr. Ferlo. Unfortunately, Steven is not able to make it here today. He is away on vacation.

But, you know, a cause like this is well worth especially for people like Andrea. If we can make a difference with our children, that's about the best thing that we can do.

So, on behalf of the District Attorney, anytime we can get involved in something like this, it's a pleasure.

Thank you.

Mr. Ricciardi:

On the light note, I know our Controller is a hardworking power lifter and an intellectual power lifter. I didn't realize he was such a physical power lifter. If he could please come forward. Tom, I think it's just wonderful that you took part in this occasion.

Thank you.

Mr. Flaherty:

Well, Gene, it's certainly always an interest to appear here in front of my great colleagues in City Council. I am somewhat dismayed that Jimmy Ferlo isn't here. He ran away, he can't even accept a win.

As Joe said, it's not quite accurate. He said that Steve Zappala is on vacation. Actually I think he's up in Harrisburg or wherever arguing that on appeal, that win that he gave us. We're certainly very thankful for Steve for making the elected representatives in City Hall look good once again.

On a serious note, we certainly, we because I'm sure Jimmy Ferlo and myself and all members of Council, certainly view Earl as certainly one of the most innovative and active people in the city for assisting people that are in need. This is certainly a fantastic way to start off the Thanksgiving week.

One great thing about Earl is he's active, he's innovative, he's out there and he helps people. But, he always remembers the participants especially us good politicians. So, we're always very thankful for Earl and certainly for Andrea

and G.B.C. who is doing a great job developing youth along with the muscles out in the Greenfield/Squirrel Hill area.

Thank you very much, Earl.

Mr. Jones:

Now, as I promised, the strongest men in the world would like to see Joe cut that cake because it says this contest was not rigged. Joe, would you please cut the first piece out of that cake.

This cake will never get stale, it's made of wood. Like I said, I promised Mr. Ricciardi I wouldn't do nothing (inaudible). I have something for Mr. Ricciardi.

The reason for giving my friend, Gene Ricciardi, this animal is that on December the 6th I had to lobby for the City County Building is going to be filled with stuffed animals.

A few weeks ago, we had a young fellow shot for no reason at all. In his honor, I would like to dedicate all these here stuffed animals to children who need the animals or to give them all away free. There's hundreds of dollars worth of animals.

I want to thank all of you for being here today and all the people who have helped me put this together. Without all of these people, it couldn't have worked.

Thank you very much.

The Chair:

Thank you very much, Earl.

Controller Flaherty and Joe, thank you on behalf of the DA's Office.

Ms. McDonald:

Good morning.

Would Judith Fishman and Trish Steinhart come forward to receive a resolution and to announce a collection drive.

I'm going to read the press advisory which is just as easy. We're going to take off a corporate collection drive here, no different than we kicked off a sweater drive last year, to help needy families in need of sweaters and collections were taken at WQED.

This time, I met with Ms. Fishman who is President and Executive Director of the Corporate Collection and that's in Councilman Sala Udin's district. We talk about welfare to work and we talk about men and women going back into the workforce and needing clothes. Oftentimes I run into people everyday myself who may have one suit. Maybe that one suit is not, necessarily, the best suit and they can always use more. But, they haven't really started to work and build up their cash reserves enough to even buy the proper clothing to work in.

I will declare today, November 22nd, 1999, the Corporate Collection Day in the City of Pittsburgh. The Corporate Collection is a not-for-profit organization that provides a support structure to ensure that successful transitioning of women from welfare or low economic means to the workforce.

The Corporate Collection provides image enhancement services to participants through one-on-one counseling and the provision of gently worn appropriate interview outfits necessary to obtain employment. To that end and in this spirit, I will be kicking off a clothing campaign with Ms. Fishman of the Corporate Collection, in fact, this is the organization that's going to pull all this off, to assist this organization in obtaining gently worn clothing.

We're asking City of Pittsburgh employees as well as anyone who visits the City County Building to look into their closets and pull out, at least, one, just one, gently worn outfit to donate to someone in need. We will be collecting clothing from Monday, November 29th, which is next Monday through December 21st. We will have two drop-off boxes in the lobby of the City County Building.

Again, we would hope that this would be an overwhelming success. This was thought of because it's the holiday time and oftentimes our office is always saying what do we do, what do we do, for people who are in need, for our seniors. It occurred to me as I was complaining to my staff member, I can't fit into this one outfit and I love this outfit and I paid money for this outfit and I'll never, ever, ever be able to get back into it again, take my word. I don't care how much dieting in the world. So, I'm thinking what do I do with it.

Oftentimes we bag our stuff up and give it to other worthy organizations. But, I love this outfit and I said I really want someone to appreciate this outfit and that's when I thought of the Corporate Collection. I met with her, I don't know,

months ago and I thought this was an excellent opportunity for corporate attire to go to people who need corporate attire.

So, I'm going to read the resolution and I'm going to ask Judith to come forward and describe the organization and whatever comments you'd like to make.

MS. MCDONALD PRESENTS:

No. 2288 WHEREAS, The Corporate Collection is a not for profit organization that focuses on providing a support structure to ensure the successful transition of women from welfare, or low economic means, to the workforce; and

WHEREAS, the purpose of The Corporate Collection is to increase their clients chances for success and upward mobility in the workplace. This is being achieved in two distinct ways: by providing image enhancement services to participants through one-on-one counseling and the provision of "gently worn", appropriate interview outfits necessary to obtain employment and by providing "soft skills" (workplace behavior) fundamentals and applications training necessary to retain employment; and

WHEREAS, since The Corporate Collection opened its doors in July of 1998, under the direction of Ms. Judith Fishman, TCC collected ready to wear, gently worn professional business clothing donated by provide citizens, retailers, and manufacturers; provided custom outfits and image enhancement counseling to fit approximately 800 clients and their opportunities; and provided an education

program to more than 500 women on career transitioning "soft skill."

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Ms. Judith Fishman and The Corporate Collection for enhancing and enriching the lives of those entering into the workforce and creating a smooth and comfortable transition in the meantime.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declares today "The Corporate Collection" Day in the City and we hereby officially begin the City of Pittsburgh "gently worn" clothes drive to assist women from welfare, or low income means, to the workforce.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you.

I'll turn the mic over to Ms. Fishman.

Ms. Fishman:

Good morning.

I am now going to read only part of what I had written here since Councilwoman McDonald was kind enough to explain to you what the Corporate Collection is all about. I thank

you very much for affording me this opportunity.

Just to tell you a bit about how we work, a client or participant is referred to the Corporate Collection through a referral partner, which is defined at any organization that facilitates a women's job search. Referral partners call us and schedule a one-hour appointment for clients to come to the dressing suite and obtain their interview outfit.

Once at the dressing suite, clients are greeted by a volunteer personal shopper who works with them one on one to coordinate the best outfit based on that client's preferences, her body style and the position for which she's interviewing. All of this is done in a supportive, nurturing environment so that participants leave the dressing suite feeling positive about their experience with us and more confident about their ability to convert that job interview into gainful employment.

I cannot begin to tell you how rewarding it is to see a woman walk into the dressing suite in jeans and a T-shirt, full of anxiety about her self-image and the forthcoming interview and leaving, literally, metamorphized. She looks professional with her suit, her shoulders are back, her head is up and a smile is on her face. But, the best thing is that she truly believes that getting a job and changing her life is now within her reach. We hear time and time again our clients saying, "I can do this, I can get this job."

Clients receive a total interview outfit consisting of a suit, a blouse, shoes, jewelry, handbag and make-up. Once they obtain employment, they are eligible to return for two more outfits to begin their

career wardrobe. This clothing is donated by the wonderful women throughout the Pittsburgh community who share in our mission of helping women become self-confident, self-sufficient and financially independent.

While we are very grateful for individual donations made at either our dressing suite or at various drop-off sites around the city, most frequently donations are made through corporate organization sponsored drives. Here again, the Pittsburgh communities generosity has been overwhelming. Not once has a company been asked to sponsor a drive and responded negatively. As a matter of fact, I am thrilled to be able to say that we have had many company sponsored drives without even being solicited and we've also had many call us and say, Judith, we'd like to do another drive for you, is that all right. Needless to say, we are very, very grateful for this support.

Our clients have developed a skill set at a job training or job readiness program. She now feels more confident about approaching her job interview because of the appropriate clothing and she has obtained a job. But now she faces another challenge, how does she behave in this new environment. Both our referral partners and corporate sponsors articulated a need to expose our clients to behavior clients appropriate to the business environment. Thus, was born our soft skills or workplace behavior training program called MOVE which Trish Steinhart, our Director of Education, has developed.

These include a series of one hour workshops dealing with issues such as conflict resolution, communicating in the

workplace, goal setting and improving customer service skills, just to name a few. Trish presents these workshops to women and men not yet employed during the course of their program day at our referral partner site. By incorporating these workshops into their job readiness and job training program, the clients we serve derive the maximum benefit of this education with no inconvenience. This program has enjoyed so much success that we are currently focusing our energy on expanding it so that local corporations can take advantage of our soft skills training to help their newly hired at risk employees better integrate and retain their positions. This is called the Stay on and Move Ahead Program.

As well, we have developed a curriculum of in-service training topics such as stress management, maintaining a sense of humor and establishing a life, work balance which can benefit employees at all levels. Discussion is already underway to begin our corporate pilot program with one of the major banks in town. To date, we have trained over 700 men and women.

As far as our future program expansions, I have organized a focused group meeting of approximately 20 community agencies to explore the need for amend image enhancement program. If the need is indicated, it is my hope that all of these agencies will collaborate to implement and maintain the Corporate Collection for Men Program.

The Corporate Collection is also investigating the need and feasibility of implementing a health and wellness program for women in the Hill District. This is a collaborative effort with Carlow

Hill College and the Hill District collaborative. It might include, not only educational services, but physical fitness services as well.

Finally, I am thrilled to be able to say that the Corporate Collection and Hosanna House in Wilkinsburg has established a partnership to open a satellite facility there which we anticipate opening right after the New Year.

As you can tell from my discussion of our future plans and goals, we at TCC are not without vision and ideas. However, all of these plans and ideas need funding to become reality. So, while we have been fortunate enough to be recognized and supported by local foundations, our need for resources exceeds what we have been able to garner to date. This includes clothing donations as well for which we are extremely grateful to the City of Pittsburgh for helping us get the inventory that we need so that our clients have a wonderful selection from which to choose.

I thank you very, very much and wish all of you a wonderful holiday.

Ms. Steinbart:

I think this is the best job that I have ever had. I really enjoy being the educator for the Corporate Collection. There's only one way for equality to take place, not just in our society but in this city, and that is for every single person to have a chance to get on the inside. That's what we have dedicated ourselves to.

Thank you.

Ms. Fishman:

It is men's clothing as well. Although we don't have a bonafide program yet up and running for men's clothing, we hope at our Hosanna House facility to be collecting men's clothing and serving men so that right after the first of the year we will be able to say we do have a bonafide men's image enhancement program. But, we are starting to collect men's clothing already. So, we're looking forward to that which will only be about another month away. That will be our next program.

Thank you.

Ms. McDonald:

Again, the clothing drive starts next Monday and it ends December 21st in the City County Building. There will be two drop-off boxes. You can always call my office, 255-2137, again, 255-2137, for any information. I'll be in touch with the Corporate Collection who will be generating the inventory.

Again, I also encourage men to donate gently worn suits, shirts, ties, whatever type of clothing that you would wear to your job other people would have needs of that too. I know just as I grow, as I age, you all grow as you age too. I'm sure as we go through the holiday time and we're looking into buying new clothing or there's gift items, we should really go through our closets which I am right now in the process of doing and be able to donate those clothes to people who truly do need them to be viable citizens within the City of Pittsburgh as we always want more revenue, to be real revenue generators within their rights.

Thank you very much.

The Chair:

Would Norman Childs and the Eyetique Organization and friends please come up. You can all come up. This is co-sponsored by Councilman Cohen and myself. We actually brought the whole neighborhood. We brought Pleasant Presents Michael here.

Before I read this proclamation, Norman is a real hero to any small businessperson. I actually live right around the corner from where his business is. When he opened that 20 years ago, I thought, you're crazy. The only thing down there was my barbershop, which we've been going to for almost 40 years. I would walk down there once a month to get a hair cut. When you opened, I said the guy doesn't have a prayer because it was an off beat location at the time. I know from some of friends and neighbors, he struggled the first couple of years. Some worked for, I'll pay you later.

But, it shows what someone can do in Pittsburgh or any neighborhood. Not only is he a successful businessperson there, the neighborhood is blooming now and more people are coming in. So, it's certainly encouraging to all small business people, whether they are just starting out or whether they want to expand. If you watch what he did there, I think it can be done anywhere with a lot of hard work and good ideas.

I want to thank you for coming. I'll read the proclamation sponsored by Councilman Cohen and myself and co-sponsored by all Councilmembers.

**MR. O'CONNOR AND MR. COHEN
AND ALL COUNCIL MEMBERS
PRESENT:**

No. 2289 WHEREAS, many years ago, Norman Childs was born to Geraldine and Jordan Childs in the City of Pittsburgh and grew up in Stanton Heights with his younger brothers Brad and Scott; and,

WHEREAS, while at the young and impressionable age of fourteen, Dr. Stanley Pearle urged Norman Childs to become an optician during a family gathering; and,

WHEREAS, after graduating from high school in 1976, Norman Childs successfully completed the Optician Institute in 1978, and shortly thereafter, began working for Dr. Stanley Pearle at the Pearle Vision Center; and,

WHEREAS, a year later, Norman Childs ventured out on his own by obtaining cash advances on seven of his credit cards to open the infamous Eyetique in October 1979, on lower Murray Avenue in Squirrel Hill; and,

WHEREAS, Eyetique's success speaks to Norman Childs' talent and shrewd business acumen as well as the positive atmosphere for small business owners in the Squirrel Hill business district and the City of Pittsburgh; and,

WHEREAS, Norman Childs has prided Eyetique's success, in part, on the love and support of his wife, Gail, and children, Jeremy and Daniel; and,

WHEREAS, Norman Childs is celebrating the twentieth anniversary of Eyetique's opening with a major celebration and huge sale from November 26th to December 18, 1999.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish Norman Childs continued success; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby extend to Eyetique its congratulations as they celebrate their 20th Anniversary and hereby declares Monday, November 22, 1999, to be "Eyetique Day" in the City of Pittsburgh.

MR. DIVEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Please take the mic and introduce some of your friends and family.

Mr. Childs:

Thank you, everybody.

First off, I would like to thank Council President Bob O'Connor, Councilman Dan Cohen and all the City Council for this recognition.

It is without a doubt that the City of Pittsburgh is a special place to live and I believe that is also a fantastic place to own a business. Squirrel Hill has always maintained an incredible business atmosphere. I am encouraged by the current business climax in the neighborhood and the City of Pittsburgh as a whole.

Once again, I'd like to thank you for this honor. I look forward to

continuing to do business in Squirrel Hill and grow with many more stores in the City of Pittsburgh.

Also, I'd like to introduce, we have a lot of our Eyetique employees here, Debbie Greenberger, our audiologist for Eartique. Maxine Shetman our Assistant Manager in Squirrel Hill, the Squirrel Hill store. Brad Childs, my younger brother. Our Controller, Greg Nimeck. Michael Ferraro in the back from the "A Pleasant Present." John Flesick from Shadyside Inn. Mr. And Mrs. Lacaria from Murrysville and their daughter Alven Lacaria who is one of our employees from Eyetique Advantage. My best friend, Mark Goldberg. My favorite father-in-law Dave Girman.

Everybody, thank you very much. I appreciate this.

Mr. Cohen:

First of all, I'd like to thank everybody for coming down here. It's great to have your employees and family and friends. All of them are such an important support system for you.

Norm Childs is a dynamo. He's a dynamo for Squirrel Hill and for the City of Pittsburgh and actually has made that store into a regional store which I'm sure you're drawing many people from outside the City as well.

So, I want to congratulate you on being so successful in your business. Also, one other thing and I know that you're working very closely with Councilman O'Connor and myself and other merchants on this. That is, you really want to go well beyond the store and to put a new face on Forbes and Murray.

So, you're spending many hours on that as well working with the other merchants and City Hall to make sure that we can revitalize Forbes and Murray so we appreciate that as well.

Congratulations on 20 years. I hope you have many, many more.

The Chair:

We have a few to be read into the record, please.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 2290 WHEREAS, Eugene Lesesne of Homewood, a 101-year-old veteran of World War I, will receive the French Legion of Honor on Friday, November 19, 1999 at the Homewood Branch of the Carnegie Library; and

WHEREAS, Eugene Lesesne is the first black veteran of World War I in Western Pennsylvania to receive the medal, a white star suspended from a red ribbon. He will be named a chevalier of the Order of the Legion of Honor. The Legion of Honor was instituted in 1802 by Napoleon Bonaparte as "honor to recognize military bravery and civilian merit." This medal continues to be one of France's most coveted National Honors; and

WHEREAS, Mr. Lesesne was born and raised in Sumpter County, South Carolina, Lesesne moved to Pittsburgh after his Army service in search of work. One of his first jobs was with a poultry man. He spent hours working with his hands in cold brine. He then took a job with the Allis-Chalmers plant on the North Side. He retired in 1965, shortly before

the corporation moved the plant to Ohio; and

WHEREAS, a devout Presbyterian, he joined the late Reverend Harold Tolliver as a founding member in 1968 of the interracial, ecumenical Community of Reconciliation, where he sang tenor in the choir for years. In recent years, he has spent his days at the Homewood-Brushton Senior Citizens Center.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh joins with the French Government in recognizing and commending Mr. Eugene Lesesne for his military bravery and civilian merit. The Council further commends Mr. Eugene Lesesne for his humanitarianism towards his fellow man.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh wishes Mr. Eugene Lesesne a "Happy 102nd Birthday" and declares today "Mr. Eugene Lesesne Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENTS:

No. 2291 WHEREAS, Eugene Lesesne of Homewood, a 101-year-old veteran of World War I, will receive the French Legion of Honor on Friday,

November 19, 1999 at the Homewood Branch of the Carnegie Library; and

WHEREAS, Eugene Lesesne is the first black veteran of World War I in Western Pennsylvania to receive the medal, a white star suspended from a red ribbon. He will be named a chevalier of the Order of the Legion of Honor. The Legion of Honor was instituted in 1802 by Napoleon Bonaparte as "honor to recognize military bravery and civilian merit." This medal continues to be one of France's most coveted National Honors; and

WHEREAS, Mr. Lesesne was born and raised in Sumpter County, South Carolina, Lesesne moved to Pittsburgh after his Army service in search of work. One of his first jobs was with a poultry man. He spent hours working with his hands in cold brine. He then took a job with the Allis-Chalmers plant on the North Side. He retired in 1965, shortly before the corporation moved the plant to Ohio; and

WHEREAS, a devout Presbyterian, he joined the late Reverend Harold Tolliver as a founding member in 1968 of the interracial, ecumenical Community of Reconciliation, where he sang tenor in the choir for years. In recent years, he has spent his days at the Homewood-Brushton Senior Citizens Center.

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COMMUNITY GROUP AWARDS

AARP Chapter 2611:

Marie Romano

Greenfield All-Star Cheerleading Association:

Paul Prosdocimo

Greenfield Baseball Association:

Bill Morgan & Bob Roche

Greenfield Football & Cheerleading Organization:

Jonathon Smith

Greenfield Living At Home Program:

Sarah Trojanowski

Greenfield Senior Center:

Dolores Cepko

Greenfield Soccer Association:

Gil Malek

St. Rosalia Athletic Association:

Valerie Fersch & Rosemary Maloney

SERVICE AWARDS

Business:

Giant Eagle #63

Community Service:

Mary Alice Nee

Education:

Jean Johnson, Toni Kichi & Joan McGuire

Youth Recognition:
Robert Boback & Theresa Ondrejco

PERSON OF THE YEAR
James Gregg, Jr.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important role that the Greenfield Organization has played in the community, commends all of the volunteers of Greenfield that have contributed so much time and talent to community efforts and organizations, and congratulates James Gregg, Jr. on receiving the Greenfield Person of the Year Award; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, November 20, 1999, "Greenfield Day" in the City of Pittsburgh.

Also,

No. 2292 WHEREAS, the Association for Canadian Studies in the United States (ACSUS), founded in 1971, is a multidisciplinary association of scholars, professionals, and institutions; and

WHEREAS, the Association for Canadian Studies in the United States is dedicated to improving understanding of Canada in the United States and encourages creative and scholarly activity in Canadian studies and facilitates the exchange of ideas among Canadians in the United States; and,

WHEREAS, the Association for Canadian Studies in the United States

serves its members and the community by supporting teaching, research and outreach on Canada and Canadian studies; and,

WHEREAS, the Association for Canadian Studies in the United States actively maintains the goal of improving our understanding of Canada's history, literature, arts, peoples, cultures, politics, economy, and Canada's role in the international community; and,

WHEREAS, the Association for Canadian Studies in the United States 1999 conference is being held in the City of Pittsburgh from November 17-21, 1999.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish the Association for Canadian Studies in the United States a successful conference; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 17-21, 1999, to be "The Association for Canadian Studies in the United States Week" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Mr. Eugene Lesesne was a wonderful event with all the pomp and circumstance to receive this French medallion. He was declared a (inaudible), which is a knight. All the pomp and circumstance was there.

I wanted to state that Councilman Udin co-sponsored this with me. Unfortunately, he couldn't be there because he was here.

I also wanted to point out that Councilman Ricciardi asked me a question about receipts. If we do provide clothing and put them in the collection boxes, will we get a receipt. Yes, receipts will be made available. They'll be right there at the drop-off boxes for you to take so that you can have this as a receipt for income tax purposes. So, there will be receipts available for all your suits and business attire donations.

The Chair:

We will now move to Public Comments. Anybody wishing to address Council please state your name and address for the record. You have three minutes.

Good morning.

Ms. Brown:

Good morning.

Friday was my youngest daughter Unique's birthday. I didn't have the money for a card and I was tearing up a box that I came across and I had an idea. This shows my family, my husband, me, my son, my oldest daughter, my teenage daughter and my grandchildren. I would like, if any children are watching, for them to think about being able to do something like that. This is something unique.

Dee would not be able to come today and I had told her I would show her

this card. It's a shame because Valerie McDonald is here and she's missed her chance.

I came last week and I was talking about Ms. Hart and her trying to overturn what the people had made the decision about. I think I was so upset because I know that Roxanne Jones, Senator Jones, took Ms. Hart door to door and introduced her to the people. I believe because of her urging she was put in that position.

Ms. Jones, when I met her, the impression was that Ms. Hart would do a good job. I do believe that Ms. Hart has let Ms. Jones down. She's let her down as far as Ms. Jones promoting her. People wouldn't have known about her, I don't think, if Ms. Jones hadn't taken her from door to door.

Ms. Hart, if there's anyway you watch this program, I watch you on Channel 1 with the education. I saw how they were saying when Governor Ridge was not funding our public schools like he should, you had said, oh yes, he has given them a raise. What's one or two percent? Governor Ridge has millions of dollars that are surplus. He had surpluses with the childcare and he won't let that go for the people that need it.

I'm here today because I am really upset when I think that legislators who can take or make a decision that they should be given a raise to be getting \$60,000.00 a year. They'll be the third highest, California and I'm not sure, but there's two other states but they don't want to give our children. When I look at you Councilpeople, when the children had the opportunity for them to go swimming free, you said no. But, spent \$400,000.00 for a

cement road. You need to think about what you're doing.

We have had a new election. Some of you have been reinstated and some are going to move on. Think about our children, think about the poor people.

When I look at the URA, \$24,000.00 to bring people in and show them around. They paid money for that, why won't they help Dee? You're getting ready to give them a thousand to bring in people, but you won't let our children go swimming free.

I am saying, it is time for you to make a decision to help our children. We had many children standing on the outside of the swimming pools looking in this summer. You need to think about what you're doing, help our children. What about the children? A lot of you have children. Think about it, please.

Have a nice today.

The Chair:

Any other speakers?

Hearing none, we will now move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 2293 Resolution authorizing the transfer of Three Hundred Fifty Thousand Dollars (\$350,000.00) from Emergency Medical Services Organization Code 220000, Fund 1000, Account 511000, Sub-Class 010, Budget Year 1999, Salaries-Reg to Emergency Medical Services Organization Code 220000, Fund

1000, Account 516000, Sub-Class 020, Budget Year 1999, Premium Pay.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 2294 Resolution providing for the issuance of a warrant in favor of the Pennsylvania Automobile Theft Prevention Authority in the amount of Sixty Thousand Six Hundred Twenty Three Dollars and Seventy Cents (\$60,623.70).

Which were read and referred to the Committee on Finance and Budget.

No. 2295 Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of equipment for the Bureau of Police at a cost not to exceed \$29,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 2296 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Dakota Street Wall; at a cost not to exceed \$500,000.00.

No. 2297 Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing "Wall, Step and Fence" line item by \$250,000.00, from \$250,000.00 to \$500,000.00.

No. 2298 Resolution providing for a three-party cooperation, reimbursement, and maintenance agreement by and among the City of Pittsburgh, the Sports and Exhibition Authority of Pittsburgh and Allegheny County (S.E.A.P.A.C.), and the Pennsylvania Department of Transportation, in connection with the North Shore infrastructure improvements.

Which were severally read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 2299 Resolution transferring the amount of One Hundred and Fifteen Thousand Dollars (\$115,000.00) from Salaries to the Solid Waste Trust fund both within the Department of Public Works. --
-(PRESENTED BY MR. HERTZBERG)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 2300 Resolution Granting unto East Allegheny Community Council, 415 East Ohio Street, Pittsburgh, Pennsylvania 15212, their successors and assigns, enter into an agreement on terms and conditions approved by the City Solicitor to construct, maintain and use at their own cost and expense, geothermal heating and cooling distribution lines on portions of the right-of-ways of Moravian Way, Cedar Avenue, James, Foreland and Suismon Streets and granting unto the East Allegheny Community Council an easement in accordance with the attached Easement Agreement in the 23rd Ward, 1st Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works and Environmental Services

MS. MCDONALD PRESENTED:

No. 2301 Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin L. and Pamela Sheffield for the Sale of Block 14-E Lot 65 in the 18th Ward of the City of Pittsburgh (Council District No. 3 - 304 Beltzhoover Avenue - Parking).

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 2302 Resolution amending Resolution No. 1101, approved December 14, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the East Allegheny community pursuant to Pittsburgh Code, Chapter 549" so as to increase the days of enforcement and limit the number of consecutive weekdays a visitors' pass can be used in Area "F".

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 2303 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 32nd Ward of the City of Pittsburgh, designated as Block 139 H, Lot 250, to the Port Authority of Allegheny County for the sum of \$5,700.00.

No. 2304 Resolution providing for an Agreement with City Source Associates for all necessary and incidental expenses incurred in the implementation of the "Side Yard Program" at a cost not to exceed \$50,000.00.

No. 2305 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance and Budget

MR. O'CONNOR PRESENTED:

No. 2306 Resolution providing for an Agreement or Agreements with

Municipal Code Corporation for professional services in connection with the codification of Ordinances enacted by the City into the Pittsburgh Code, at a cost not to exceed \$15,000.00. --
(PRESENTED BY MR. O'CONNOR)

Which was read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to Unfinished Business. Is there any unfinished business to come in front of Council?

Hearing none, we will move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2307:

Report of the Committee on Finance & Budget for November 17, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2249:

Resolution transferring the sum of Thirty-Three Thousand (\$33,000) Dollars FROM Organization Code: 122000, Sub: 010, Fund: 1000, Account: 511000, Budget Year: 1999, Salaries TO Organization 123000, Sub: 020, Fund: 1000, Account: 516000, Budget Year: 1999, Premium Pay, Department of General Services. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 2252:

Resolution authorizing the transfer of the amount of Three Hundred Thousand Dollars (\$300,000.00) to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, account 571100, fund 1000, organization 999300, subclass 040, budget year 1999, from the Special Summer Food Service Program Trust Fund in the Department of Parks and Recreation, account 581140, fund 2855, organization 521220, subclass 600, budget year 1999, for the repayment of funds for the startup of Summer Lunch Program. (PRESENTED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Ferlo

Ms. McDonald

Mr. Ricciardi

Mr. Diven

Mr. Hertzberg

Mr. Onorato

Mr. Udin

Mr. O'Connor

(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 2308:

Report of the Committee on Public Safety Services for November 17, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2225:

Resolution providing for an Agreement or Agreements with a consultant or consultants for the provision of professional services for the Department of Public Safety, Bureau of Police, at a cost not to exceed \$25,000, and providing for the payment of the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bill has received the legally required number of votes and has passed finally.

MOTIONS AND RESOLUTION

Mr. Ferlo:

Thank you, Mr. President.

Mr. President, I think it was this past week, maybe last week, I'm losing track of time because I don't know that we were effectively notified. But, the Historical Review Commission held, I don't know if it was a public hearing or some kind of a forum here in these Council Chambers at 5:30. I have to be honest, I was not even aware of the meeting, maybe other colleagues were. I don't know how much the public was notified. Basically, it was on the Forbes/Fifth retail corridor plan.

I'm a little bit confused and I want to respectfully ask that we communicate to the Historical Review Commission and try to understand exactly what is the context of holding a public hearing. My whole sense from others who attended the public hearing was that there was general testimony on the Administration and the Mayor's plan for the Forbes/Fifth retail corridor as opposed to what I thought was their mandate was to hear staff and others from the community talk about the historical significance, if any, of either buildings or (inaudible) the buildings that make up the Forbes/Fifth retail some of which apparently and supposedly are slated for demolition.

So, I'm a little bit confused on how the Commission met and what purposes they met. If they were actually hearing testimony about the architectural significance of particular buildings or the architectural preservation necessity for the corridor. Instead, I think just heard general testimony about the Mayor's plan and what's good and what's bad and whether or not there are alternative plans. I'm not sure that's what the burden or obligation or duty of the Historical Review Commission is.

I thought we empowered them to give us an evaluation specifically of individual buildings and/or the synergy of buildings that makes up the Forbes/Fifth retail corridor. Maybe they started doing that previous meetings. Maybe the second meeting was something different. I don't know if there is going to be a third public hearing. But, I guess I'm asking several things.

One, if we could be effectively notified of these hearings. Two, I do think if they're going to hold them in Council

Chambers, giving the fact that this is probably one of the largest commitments of public dollars and probably one of the most controversial things that the Administration has yet proposed in its eight years of tenure. I do think it warrants having cable castings of the meetings.

There are a lot of issues involved and I think people need to have some public discussion. I guess, what I want to ask now is whether or not we want to begin to -- I still have yet to figure out how it is and what it is that City Council actually begin to formally discuss and review and debate the so-called Forbes/Fifth. What I hear happening at the street level and what I see happening in terms of the city bureaucracy is a rush for judgment.

In a matter of a few hours and a couple of days, the URA has already entertained and voted to some extent on this whole issue of the Forbes/Fifth development. The Historical Review Commission has already had a public hearing and a meeting although it's not clear to me they actually had a public discussion or an internal discussion about the historical significance of the buildings. It just seems like everything is either going to get rubber stamped or rushed to judgment and I don't understand why. We're about to embark, if we go by the Administration's view, a fundamental dismantling of the basic core of the downtown. There are a lot of serious and significant public policy issues.

What I'm most upset about is it's almost as if this plan has been presented by the administration and now everyone including this Council and property owners who are affected are supposed to

debate, point counter point, this plan. It's not as if we're discussing what it is that we want to do with downtown, what is the question that we actually want answered. It's almost like this is the plan, now you react to it. Maybe you can hone it here and you can cut off a couple of issues here. Maybe you save this building, maybe you save that building. In a way, I feel like there's a little bit of a public policy end run around this Council and the citizens of the City of Pittsburgh.

I think Council needs to put this whole thing back on track. Maybe the votes are already here and people have already agreed to give the Mayor their vote on this issue, I don't know. I hope that's not the case. I hope there's going to be a serious review by this Council about what the Mayor and what the Administration hopes or reports to do on this Forbes/Fifth project.

I already see the Post Gazette gearing up in their usual way to pretty much rubber stamp this whole thing, much of what they did with the Regional Renaissance one vote.

I'm curious out of all the times that I see pictures in the Post Gazette, today, out of the blue, you see this picture of young African American males, I guess, hanging out in and around the Fifth/Woods corridor. Now, I'm fascinated about why today of all days the Post Gazette picked that picture to run with the headline that they ran. I have so many mixed messages about what I think the Post Gazette is doing with this picture. I think, and I hate to sound cynical, I think they ran the picture as a way of saying we better support the Mayor's Forbes/Fifth plan or this is what we're always going to deal

with. I hate to sound cynical, I hate to seem simplistic about this and I may be making too much about a photo that's in the Post Gazette. But, I'm sorry. I really have a question about what the purpose of that photo was, what the context of that photo is and why it happened to run today. But, that's just the way the Post Gazette's Editorial Board operates.

I'm concerned that we, this Council, take back the reigns of this whole project and begin fundamentally to say we're not for anything yet. I would ask that this Council consider putting the question back in its proper perspective. I think the question ought to be, what do we want the downtown to be, how do we want to revitalize it, and what are the issues that we want to deal with? Not, this is the plan, you critique it, but this is what we're going to have. If that's the way it's going to be, then I think that's a big mistake.

The Chair:

Before Councilman Onorato leaves, I just wanted to mention one thing. I know he has another meeting.

All of a sudden the Post Gazette is defending the garbage tax and defending the city's tax base where have they been for the last 10 years. Why do you give that thing out a long time ago when we've all been yelling and shouting that we're not overtaxed that much. Now, at least, they're helping up a little bit. But, the only reason is to support the garbage tax. Councilman Onorato, thankfully was there defending our position.

Mr. Ferlo:

I appreciate it. Councilman Onorato can always be expected to defend the residents of the City of Pittsburgh and now, certainly, the residents of Allegheny County.

My point being, Mr. President, I think we should go back to square one. Square one to me is this Council saying back to the Mayor and to the public what are the proposals, what is the vision, what is it that we want to actually do with the downtown community? Not, necessarily, we want big bucks, retail, a mall with no roof and that's what the plan is.

I'd like to see the question be how do we make the downtown be a neighborhood of 20,000 residents and what are all the things that go into it, including whether or not there could be a 20,000 square foot supermarket. I think we should think about a scattered site approach to major retail. I don't see why, if we have the possibility of a Nordstroms or some other major department store, why we can't look no further than across the street at the lot, the parking lot that's been a parking lot for more than two decades now in front of the City County building, the Law and Finance Building opportunity. We have a number of open parking lots which is not the highest and best use. We see the Kline's restaurant that was torn down across the street.

I'm suggesting that we go back to square one and decide what it is that we actually want to do with the downtown. I'm suggesting that we ask the question of how do we make downtown a neighborhood of 20,000 residents, not 3,500 residents and what are all the things that we need to do including where are there opportunities to build new houses.

We're never going to have housing on the second, third and sixth floor of these narrow little buildings downtown and we should just tell the public that. It will never meet the BOCA code, it is never going to happen. Why don't we just put the cobwash on this whole rush to judgment on this Forbes/Fifth retail. Forget about the Post Gazette, they can wait for a few more million dollars in advertising income from the department store.

Before we let somebody decimate and completely tear up the downtown Forbes/Fifth retail corridor, let's go back to square one and ask ourselves, what is it that we actually want to do? Why not entertain different proposals, whether it be the urban retails proposal, I think we should critique that. The History and Landmarks as a counter proposal. Although their proposal still, fundamentally, agrees with this retail big box theory. They're just trying to fine tune the preservation of a couple of the buildings.

I think we should go back and ask the fundamental question about what do we want downtown, what do we want to make our public investment and what do we want the downtown to be? I have a different vision. I would ask that we find a way to convey this concern to the Administration, to the Urban Redevelopment Authority Board and to the Historical Review Commission Board.

I think that should go back to square one. I think the issue of building a neighborhood of residents downtown, a scattered site urban retail should be considered. I think we should have a pre-

trolley, that's a retail trolley, that also goes in and around downtown out to the Strip. I think we should fill in the sea of parking lots with new construction. I think we should target elderly pensioners who want to live in and around Oakland and downtown, I think that's a great community, as well as young professionals. We have a large and growing larger gay and lesbian population to the city. I think there are niches in the market of houses and if we can attract individuals back into the community. I think there's an issue about whether or not childcare is available and where in the downtown. I just think we should go back to square one.

What I see happening right now is almost like the Plan B. It's like come heck or high water, this is what you have to go by. We have pending lawsuits, we have everybody in a tizzy in terms of private property owners.

I just don't like the way this whole thing is being done. It doesn't mean I don't respect the Mayor and it doesn't mean I don't appreciate the fact that he's trying to be bold and do something different. But, I don't see what is different. I think we're doing the same thing that a number of other urban areas have done. It's not even interesting and it's not even that financially viable. Including the fact that more and more people five years from now are going to be buying shoes, instead of going to Nordstroms, they're going to be paying them from e-shopping.

Again, maybe I'm being over reactive here. But, this whole thing is being rushed to judgment. I do not understand what the HRC did the other

night. They heard a general policy discussion about the downtown. I thought they were supposed to evaluate and critique the buildings. They're turning to the one preservationist, who's a friend of mine, he's one of my residents, but he's an architect who works for the developer so his opinion is suspect.

I just don't like the way this is being done.

The Chair:

The way I see it right now. The Market Square group has met with some of us individually. I just see here it is, you can say just like Plan B and the stadiums, whether you like it or not, we're doing it. The way it is, the Historic group and the downtown, all you're going to do is divide and conquer.

So far, they're all divided and they're going to conquer them. I see us, whether it be February or March, sitting here with all of them. Some of them may make a deal, they're going to say you have to do it for the "x" amount of jobs and we're going to be pinned in a corner.

So, that's the way I see it coming. Unless Councilman Udin, who's district it involves, if you want to take the leadership or someone on Council to slow it down and either get 75 percent of what you just said, Mr. Ferlo, or just vote it up or down. I'm sure the Mayor can get five votes because it's going to be all these great things for downtown.

But, I see it already and I've seen how the small business people are treated. I hear all the time that we never use them in a domain. Don't forget, there's a

hammer over every businessperson's head that says eminent domain and he or she has no choice.

You're right, look at the Historic Preservation. We're all against it and now they're saying how do we solve it. To the Administration's credit, they're just saying the heck with all of you and now they're coming back begging for crumbs. Either we're going to play into it or we're going to start a new way to do it or evaluate it.

I would suggest to the Mayor why doesn't he do something like the Riverfront Commission where is the big downtown commission. Let's make it work. It may take another year or six months, but right now without Nordstroms I don't see anything great happening. You can do the same thing, take Fifth Avenue and make that the upscale shops and make the Forbes and some of the other ones the average shops for the rest of us.

We had hearings here and the people in my district can't get a bus downtown. They have to walk four blocks and no one cared about that. I see it running over. Unless Council can grab a hold of it, we're going to be in a back corner, either vote for it or take it down.

Mr. Udin:

First of all, I thought last week we said that we would postpone action and discussion on Fifth and Forbes until January. Unless that was a dream, I thought that was a decision that we had made both after the last Legislative Meeting and, again, at the Standing Committee when we tabled bills that were before us concerning Fifth and Forbes. I thought that's what we said. So, I'm

confused somewhat about why the discussion is coming up again today unless there's some action before Council that I'm not aware of. That's number one.

Number two, the Historical Review Commission did send out notices. I got a notice in my office and I had staff present at the meeting. Perhaps some others didn't receive the notice. But, the notices were sent out in the same way that they're always sent out.

It was the first of a series of meetings that the Historical Review Commission plans to have. The Historical Review Commission made every effort to limit the discussion to issues of historical review. But, there were people who came to the meeting determined to broaden the discussion to discuss other matters as it relates to the Fifth and Forbes project. That's why the discussion at the Historical Review Commission was as broad as it was. But, they did make an effort to try to limit the discussion to the issues of historical review.

Perhaps some Councilmembers also were not present last week when I laid out what I thought was a process in which all of the stakeholders, especially City Council, could have a means of reacting to the Mayor's proposal and discussing ideas whether we want to start at ground zero or ground minus zero or however we wanted to react to the proposal. There are no limits on what Council can respond to or where Council has to start. All Council has to do is create the structure and the process where that Council discussion will happen and a decisionmaking process and that's the way it will happen. There are no limits on how we proceed.

So, I guess everyone knows, I guess I will have to continue to fight for, I guess, my own prerogatives in this matter to try to provide a process. There are a lot of stakeholders that have to speak on this matter, not just the preservation community, not just the property owners, not just the business owners, everybody in Pittsburgh owns a piece of downtown and needs to be heard on this matter. We need to provide a process and a structure for people to be able to do that.

It has to begin with some proposal and it began with the Mayor's proposal. We can reject it out at hand or we can replace it with a different one. That's one of the things that some of the stakeholders have done. They have even gone through the pains of hiring an architect to come in and present an alternative plan and there may be other alternative plans that may be discussed. Or we may not want to consider any of the plans. But, it's up to us and there are no limits on what we can discuss and how we need to proceed.

It is my intention to bring forward a series of, I suggested, some regular post-agenda meetings of Council where all of the major participants in this proposal come to Council to discuss different parts of the project, starting from zero and moving all the way through the whole proposal. It may result in Council deciding that we don't like any of the proposals and we throw them all out. That is our option. I intend to provide an opportunity for Council to have that discussion.

But, I had thought, unless I'm mistaken, Mr. President, and I certainly will stand to be corrected, that we were going to hold that off until January.

Thank you.

Mr. Hertzberg:

Thank you, Mr. President.

I'm on the Board of Directors of the URA. In fact, I did vote for an approval of this Fifth and Forbes plan. I just want to make it clear. My comments that were made during that board meeting were that the only thing I agree on is that Fifth and Forbes, as it now sits, is really not the show piece that I would like it to be. It's not something that I can be proud of to say what should be the most vibrant part of the City of Pittsburgh. We need to take some steps to see what we can do to improve that area. This is the starting point, this is a plan. To me, it isn't the plan. But, we need to get the ball rolling in starting the discussions. That's all I said with that vote.

I'm all for slowing things down. I couldn't agree more with Mr. Ferlo and Mr. Udin. Hearing from everybody and getting a feel for what, if anything, will work best. So, I certainly am not tied into this particular plan in anyway whatsoever.

The process whether we're slowing it down or not, it's being slowed down. It's very clear to me that, although the Mayor and Dr. Birru would have liked to have completed everything by the end of this year, that's not even close to happening. The Historic Review Commission hasn't even acted on it. After they do take some action on that plan, it still has to go to the Planning Commission and it still has to come to us. When it gets to us, there's no gun to our heads. We do not have to move at any particular speed.

We can hold the legislation and hold the legislation and hold it until we're ready to move it or until we decide to table it if that's the case. So, I'm not in any rush on this.

One thing I wanted to point out and I think it's been raised by the Pittsburgh History and Landmarks and their counter proposal and by Mr. Ferlo is the idea of having a major increase in the residential community in downtown. That sounds good. That certainly would help retail businesses. It gives you the pedestrian purchasing population right there. That certainly sounds like something that could help a lot. I hear people that tell me the idea that downtown is going to be retail hub for the region is crazy. At least, that has some history. We were the retail hub for the region at some point and time.

Downtown being some kind of residential mecca has no history whatsoever in Pittsburgh, not that we can't change things. But, I think we need to consider the background and consider if we are going to increase the residential population of downtown, how is it going to happen, how quickly can we do it. I think we've been making some improvements on the downtown population lately. But, to think that we're going to waive a magic wand and it's going to become a place where everyone wants to live is probably just as crazy as thinking we can, again, turn this place into the number one retail outlet. So, we have to keep that in mind with whatever this plan turns out to be.

Also, the places where we do have strong residential communities that attempt to coexist with strong retail markets. What you have is a built in and

constant conflict battle. I think we have to consider that in the planning process of whatever happens here.

Mr. Ferlo:

My colleagues sound overly democratic. I'm sure in their hearts they believe they're being democratic in terms of what they say is future participation from stakeholders and the ability to actually have some public debate on this whole issue.

But, what I fear is that despite the fact that we have indicated that we're slowing down this process, the Administration has laid a concrete footer and they're using fast drying cement from what I can see in terms of how they're going about suring this decision up. I think if there's a way that they can also slow down the process and reiterate by way of a public statement the fact that they are opened to ideas and criticisms and concerns.

I think Councilman Hertzberg's point is well taken. I'm not saying tomorrow we're going to be a residential neighborhood of 20,000. I'm saying that I would like this Council to be more in the upfront part of the public policy debate about what the downtown should be. Whether it has aspects of greater percentage of residential, whether it has aspects of furthering and strengthening the retail and/or specifically the Forbes/Fifth corridor, which I favor to some extent the upgrading of the corridor. I don't think there's any doubt about that. I'm just asking that somehow Council, being the elected body, and we are talking about \$50 or \$60 million dollars of public funds, that we get back to the beginning of the debate

and the policy and start talking about different ideas.

The way it's unfolding I think it's going to be pretty much kind of be handed to us late in the game and as is the case oftentimes in the past, if you're against it, you're obstructionist and you're not progressive and you don't want to see the city advance and all of that. There is already a divide and conquer added to among the Administration on how they're dealing with the different property owners and proponents including the preservation community.

The preservation community, itself, at least from what I can see, appears somewhat defeated or somewhat demoralized in this whole thing. I'm not naive, I agree that you're not going to make just a residential neighborhood tomorrow. I'm only asking that we begin to talk about it and what are the niches in the market. Some of the best housing that we've seen be built has been along Bellfield and Bayer Street in the Oakland corridor and it's basically been older retirees some of whom had the benefit of not only having social security and a pension, but some amount of saving. I'm not saying it could be high. I think there's a middle population, middle income population of older residents. I describe the younger community as a community that I think already has moved to downtown lofts. I think that's another niche in the market that I think we should explore. But, I agree with Councilman Hertzberg, I'm saying that we should explore what these different options are.

I would prefer that Council issue some type of request for a proposal and tell the whole development community

what some of our goals and objectives are and that we have \$60 million dollars to spend. I feel like I'm being asked to spend \$60 million dollars only for some company from Chicago to come and knock down half of downtown. That doesn't make any sense to me.

Maybe what we should do, going back to Councilman Udin's point, is maybe early on in January we should construct a public notification request for proposal and say this is what we're willing to ante-up. Now, let's discuss what it is that we want to do, who are the players, who are the investors, who are the equity folks to be involved and what is it that we want downtown to be which would include the retailers, you might specifically include upgrading the Forbes/Fifth retail.

I'm sorry, I just feel like this is being steam rolled notwithstanding the fact that Council wants to be a little more deliberative.

Mr. Cohen:

Thank you very much, Mr. President.

It's important that we have certainly a continual discussion on Fifth and Forbes. I guess I don't view the sky falling in at this moment. Maybe it will at some future moment but I don't see it right now. I think that the plan, which is a bold plan, is moving along and then it gets to City Council. I agree with Councilman Ferlo that we cannot be put in the position of either putting our thumb up or putting our thumb down on a massive reconstruction of downtown Pittsburgh.

So, what I would recommend and what I thought we were talking about earlier, as Councilman Udin said, is that we jump into the process now. What I would suggest, in terms of a specific proposal to Councilman Udin, is really a compliment to his idea. That is to have post-agendas prior to the legislation being introduced to Council. I would recommend, at least, five post-agendas and have at each one a separate stakeholder in the process. Frankly, I think they should be public. As Councilman Ferlo always says, there are no secrets in City Hall. These really need to be public discussions unless there's a specific lawsuit or a specific personnel matter.

But, I would recommend that we have, at least, five post-agendas prior to the legislation being introduced in Council. They should include one with the preservation community. Always deciding who that is is a difficult problem, but hear me out for a moment. One is the preservation community; number two are the property owners, the affected property owners downtown; number three are the property users who are different, obviously, because most of those are rental commercial properties; number four is the downtown residents, obviously there is a neighborhood downtown and it gets bigger and bigger because loft housing is happening; and five is Pittsburgh residents, the broader view.

So, that's just a suggestion to throw out there. I think a post-agenda is a better vehicle than a public hearing because you can actually have interaction with those stakeholders.

As far as downtown housing is concerned, that is moving forward as we

speaking. There are new loft housing facilities going up on Penn Avenue, on Liberty Avenue, First Side. Remember this Council voted recently to give a 100 percent five-year tax rebate between the current evaluation of the property in the future evaluation of the property to all loft developers. I think that that's working from what I hear.

So, anyway that's a suggestion. Obviously we have the budget now, we have the cable agreement coming up, and we have lots of other things. But, I would say if we can even have one before the end of the year and starting right at the beginning of January have a series of others, that will get us to the point where we need to be when the legislation is introduced.

Mr. Udin:

Thank you.

I want to have my comments brought forward from last week's discussion. What I specifically recommended last week is exactly what Councilman Cohen proposed. That is that we have a series of issues specific post-agendas prior to the introduction of any legislation before Council but just in reaction to the current proposal that is on the table and that is being discussed in the community. That they would be televised post-agendas. That we would have the developers, we would have all of the city offices, the administration, other stakeholders present to discuss and issue a series of issue specific and a series of general discussions. We probably need to start with a general discussion before we get to issue specifics.

I guess we all do agree on the starting point. That there does need to be some kind of revitalization of business downtown and some increase in residential living downtown. Then, the discussion of how we achieve that and which proposal gets us there can be the basis, the agenda, of discussions that we can have. We not only need to have these discussions in Council, I think we need to take a series of televised public hearings out into the districts, perhaps one in each council district. The people in the neighborhoods also own a stake in downtown and I don't think we get the full value of their input when we only have public hearings here in the City County building. I think we need to have discussions out in the neighborhoods about this as well.

So, it will take a long time and it will be a very thorough process. I'm not trying to be ultra democratic, but I am trying to maximize the input of the people who have a lot at stake.

So, I welcome Councilman Cohen's proposal. All members of Council will be receiving a more specific description of my proposal for how I intend to facilitate a process for stakeholder and City Council input for you to react to. You'll be receiving it this week.

Thank you.

(See Addendum for comments)

The Chair:

We all agreed last week to slow this thing down and just hold it off until January. But, I think what Mr. Ferlo is mentioning is that the business people and

the historic people are having meetings lobbying us. Maybe whatever you finalize this week, we have to make clear to them what we're doing. So, actually I would send the same suggestion to them, hey, slow down, stop, and enjoy the holidays. Business people, whether they be owners of the property or owners of a business, certainly from now until Christmas have no time to be in meetings. So, it's going to be fragmented groups anyhow.

I believe if we come up with what you're doing, they should be part of it. Just basically say, hey, let's slow down until January so there's no big rush and they're not doing their own thing on one end and we're stuck in February with a final vote. Although we have one intention. I believe what Mr. Ferlo's reacting to and rightfully so, is what's going on out of these chambers right now.

Getting those together and I know you can do it, I think by something in writing from you and Council that we are officially slowing this down until January.

Anything else?

Happy Thanksgiving everybody.

I just want to remind everyone. Tomorrow will be our Standing Committee meeting at 10:00, November 23rd.

Can I have a motion to approve the minutes?

MR. FERLO moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. FERLO moved to adjourn the meeting.

MR. COHEN seconded the motion.

And, on the motion made by Mr. Ferlo, the meeting was adjourned.

ADDENDUM

Mr. Udin's comments on Bill No.
2271 Forbes/Fifth Retail can be found in
the Standing Committee Meeting Minutes
of November 17, 1999.

MUNICIPAL RECORD

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, November 30, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have three special guests with us, James Constantine, John Bruno, and Dana Lazzaro. They're all six years old. They're accompanied by their parents and uncle and they attend St. Mary's Elementary School. They all live in Highland Park, which is Councilman Jim

Ferlo's District. They're going to help us in the pledge of allegiance.

I'm sorry. Two are five and one is six.

James Constantine, John Bruno & Dana Lazzaro:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have a special gift for you.

We have many special guests in the audience.

Mr. Ferlo:

Good morning everyone.

We have a lot of great guests and special people in the audience today.

At this time, I'd like Mr. Tasso Katselas to come forward. He's here on behalf of a special recognition that's long overdue. We're also honored to have here the former Chairman of the Board, the Honorable Tom Foerster who is now the Councilman Elect. Good morning Commissioner and thank you also for being here today.

I'd like Richie Stanizzo to come forward. He was a little bit upset because he doesn't have a suit on. I said, it doesn't matter we know you're working. Rich is the head of the Building and Construction Trades Union. They're donating their time right now because they're building a holiday cress and scene down at the USX Towers so we're giving him a special dispensation to be here today. It's important that the building trades is also here for this proclamation.

MR. FERLO PRESENTS:

No. 2309 WHEREAS, the Greater Pittsburgh International Airport, opened in 1992, serves approximately 20 million passengers each year, serving as a regional hub for business and leisure travel; and

WHEREAS, the Airport has been heralded far and wide, and was recently ranked third best in the world and first in the United States in a survey of subscribers conducted by Conde Nast Traveler, the world's leading travel magazine; and

WHEREAS, history will credit one exceptional elected official, then County Commissioner and Chairman of the Board Tom Foerster, with possessing the original vision for the Greater Pittsburgh International Airport, a dream brought to fruition with a winning and powerful combination of determination, creativity, and leadership, a dream which successfully united, among others, the business and labor communities in an effort to improve our region; and

WHEREAS, the Airport's magnificence in form, function and aesthetics can be attributed to the

Pittsburgh-based architect Tasso Katselas, and his architectural firm, Tasso Katselas and Associates, one of the world's leading architectural firms, also responsible for designing the Carnegie Science Center, the Community College of Allegheny County, the Saint Vincent College Science Building, Monastery and Instructional Technology Resource Center, among countless other structures around the country;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does commend and thank both County Councilman-Elect Tom Foerster and Tasso Katselas for contributions to the design and construction of their living legacy, the Greater Pittsburgh International Airport; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby present County-Councilman Elect Tom Foerster and Tasso Katselas with the Award of Outstanding Achievement for their remarkable work on the Greater Pittsburgh International Airport.

MR. JONORATO moved to adopt the resolution.

MR. Ms. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We wanted to present Mr. Tasso with this proclamation and also the formal proclamation to the Chairman of the

Board, Mr. Foerster, and now Councilman Elect.

Before I say a few words, we want to ask Rich Stanizzo from the Building and Construction Trades to say a few words about how important this airport is, not only to their membership but to our whole city and to our region.

Mr. Stanizzo:

First of all, let me say I applaud Council for taking this step to award and finally recognize the work that Commissioner Foerster and Tasso did in developing and bringing to fruition this airport.

Tom Foerster had a vision of building a brand new airport. This was not an expansion, it wasn't a renovation, it was a \$900 million dollar airport, stand alone facility. At that point and time, it was the biggest project we had in Western Pennsylvania to date.

Tasso took that vision and with his staff of people, took that vision and gave us the edifice that we have out there which is we've seen lately now is the third ranked airport in the country. Without Commissioner Foerster taking a hands-on lead and bringing that to fruition, we would not have that airport. Without Tasso taking the time and making the effort to do a hands-on change over of that airport from the day that it started to the day it ended, it wasn't the same facility as it was when it started.

We as consumers and people who live in this area are the winners because of that and the special effort that they've put into building this facility. We really thank

you both for taking the time and putting the effort in to do that.

We hear the negative that the airport has not been developed as we thought it would be when it was opened in '92. But, let me stand here and tell you today that anything we do in this area is slow to come. It's hard to build projects in this area just because we're Allegheny County, that's just the way we are. You are going to see things built out in that facility over the next two or three years that are going to make it the number one airport in the world.

We, personally, as the Building Trades, have \$40 million dollar pension investment out there in the business part. That started even back when Commissioner Foerster was still the Commissioner and that's how long it's taken to get started. I think that over the long term, we are going to be so happy with the risk that they took to build that facility that it's going to payoff over the next 20 or 30 years.

I applaud Commissioner Foerster and I applaud Tasso for the job he did.

Thank you for the opportunity to come down here.

Mr. Ferlo:

I think Rich Stanizzo's presence is here today on behalf of the sisters and brothers of the Building Trades Unions and all the folks that they represent is a true testament to the fact that this is an important airport, not only for working people throughout the City of Pittsburgh and the region. It's not a mill, it's not a mine, it's not a factory, and it's not a farm.

But, it is a powerful economic engine that will continue to grow. We see signs of that in the last half a decade alone. So, we are here today to applaud these two gentlemen.

Oftentimes when things are looked back upon, in a recent note in just the last few weeks, we've had many folks comment in the media about how significant the airport is. For some reason, they failed to mention even in parenthesis, who are the main architects and who are the folks who had the vision and brought such a significant project to fruition.

So, it's proper and fitting that we pay some tribute today and that we build on the success. While the airport is not physically located within the 55 square miles of the City, it is an economic engine. Any company out there is going to rely on the financial services network, all of the corporate headquarters being housed here in the city property, right along Grant Street. So, we will continue to benefit directly to the city coffers as a result of development in, at and near the airport.

This gentleman I'm introducing next, I would like for him to say a few words on behalf of himself, his family, and his architectural firm. I see one of his colleagues, here my neighbor, Joe Sorawol (Phonetic), who's here. I'd like for him to say a few words and also ask Mr. Foerster, he's having a hard time getting up here today. We're going to allow him to speak from the chair. We'd like to have a few words from Tasso and then the Honorable Tom Foerster.

Mr. Tasso:

I'll be very brief. I'm quite flattered by what Rich Stanizzo said. You should know that the union participated exclusively on this airport and had a no strike contract, which made the schedule and the cost realistic.

Today I stand here to tell you that it was all worthwhile. To have this body recognize me with an award and a proclamation, made it all worthwhile. This is a first class city and it deserved a first class airport and it has a first class Council.

I want to thank you very much.

The Chair:

Mr. Foerster, would you like to say a few words?

The Chair:

Before you do Commissioner, I just want to say one thing.

This airport was built by good union labor at a time when Pittsburgh got rapped as being a tough labor town. Also, Tasso was in my office about two years ago and I had visitors from Japan and China who came specifically to see our airport. They wanted to know who built it.

Since we have so many young kids in the audience, the next person who is going to speak not only built and dreamed of this airport, but is responsible for the three community colleges we have and all the branches. A lot of you may be attending that. So, without him, those community colleges wouldn't be here. So, I want you to pay extra attention to him and what he has to say.

We're honored to have him in our Chambers.

Mr. Foerster:

Thank you Mr. President and Councilman Ferlo. Thank you very much for sponsoring the proclamation and members of Council.

There are some features to our new airport that, perhaps, are a first anywhere in this country.

First of all, when I was first elected in 1968, we began then to acquire some 6,000 acres of land for an airport that was only 20 years old. Many people in the news media roundly criticized us saying we would never need that land. Had we not acquired the land then, we couldn't have possibly afforded to build that new airport today. We did it without condemnation. That was a first, acquiring that much property without condemnation.

We did it by amicable settlement with a homeowner. If the homeowner did not like and the property owner did not like the appraisal of the county, we told that property owner you go out and get your own appraiser, qualified appraiser, if he comes in with more money than the county appraisal, we would pay that. It turned out that we paid probably another \$5,000.00 to \$10,000.00 additional for each piece of property. Had we gone to a condemnation, the judge inevitably would have given that property owner more money. So, we saved money.

We did a second thing, we saved a neighborhood, we saved a region. After we condemned the property, we didn't demolish that piece of property as was the

case in the past. I know that by doing that we retrofitted those houses, we sound proofed them, put that house back on the market again and saved a community. The fact that the noise pollution out there was so bad, normally we would tear the houses down, but we didn't in this case.

We proved also with a labor agreement, which was a first also. We got the unions together with all the contractors. They signed a document, each individually, saying they would not strike during the length of the construction of that project, it lasted five years. During that five year period, we didn't lose one hours work because of any labor dispute or any lockout.

It eventually led to the same kind of an agreement for all county projects. It eventually led to the Pittsburgh pledge which was an agreement signed by over 100 total labor unions and employers in this county that there would never be a strike and that there would never be a lockout. So far, the ones who have signed that Pittsburgh Pledge, known as a Pittsburgh Pledge, have not had a strike and there has not been a lockout. It has changed the labor image of this community. It has led to the Three Rivers Labor Management Group that now monitors the construction projects in this community.

I think by not condemning properties and by not doing something about any kind of labor disputes has brought about a new day and a new image for Allegheny County. It also proved one more thing, that you don't have to go to New York to find an architect and you don't have to go to any other part of the country. We bid that architectural contract

out to anybody in this country that wanted to put in a bid.

It was some seven groups that bid, Tasso Katselas was among them. His bid come in the best bid with the most innovative design and he won it by competitive bidding. It really proves to me that you can do a lot of things in this community about designing something special without going out of this town. My hat is off to Rich Stanizzo who daily was out at that airport making sure that the project was safe.

So, Mr. President and Mr. Ferlo and members of Council, I thank you very much for this recognition. For the recognition not just of the group that's here today, Tasso, Rich Stanizzo and myself. It really is recognition of a lot of people, the late Senator John Heinz and Arlene Spector, Senator Spector, they got us the federal money. It's recognition of the people in the state legislature led by (inaudible) in those days who, again, provided the additional money that we needed from the state government along with senators and probably in the senate. It was the recognition of many, many people and the recognition of this community itself.

I thank you very much.

Mr. Onorato:

Mr. President, I just also want to congratulate the architect, Tasso Katselas and Commissioner and now Councilman Elect Tom Foerster.

Out of all the facts we heard today, I think the most amazing and the most important foresight in this whole airport

was the purchase of that land so many years ago when everyone probably thought the Commissioners were nuts at that time. But they had the foresight that this would be obsolete in the very near future.

Also, it's important for everyone to remember that this was built in the early '90's after this region probably came out of its worse economic down turn, the decade of the 80's. Beginning of the decade, we were the steel capital of the world. At the end of the decade, it practically didn't exist. Now, this airport, which they pushed ahead, will probably be the number one economic generator going into the next century. The foresight to continue moving forward even though the local problems were so bad.

Finally, if anyone has any doubt of how good this job was done by union laborers and the agreement that was put together, just compare the headlines with the Denver Airport. It's like night and day. These airports opened within a year of each other. The problems they're having in Denver compared to what's happening here, I think we're just too harsh on ourselves locally. When we compare it to what's happening in Denver, this is the state-of-the-art. We did not make the mistakes that were made out there.

I applaud everyone that was involved for a great asset for this region.

Mr. Ferlo:

In closing, Mr. President and members of Council, I want to thank Councilman Elect and Controller Elect, Mr. Onorato.

I already seen the papers today, he is right out of the gate. One of his first actions will be strongly representing the public's interest as it relates to the Airport Authority, insisting very adamantly that the County Controller continue to have an oversight function, physically and performance wise, with the Greater Pittsburgh Airport.

So, I want to thank our new Controller, Mr. Onorato, also.

Thank you.

The Chair:

Good job.

Would Joe Costa and Tammy Fretch come forward? We're remembering the World's Aids Day. With them we have Hugh McGough who's President of the Board and Robert Fikuma who's Executive Director. Joe Costa is Director of Development and also a cousin of Jay and Guy. Tammy Fretch is Director of Communications.

MR. O'CONNOR PRESENTS:

No. 2310 WHEREAS, in 1985, the Pittsburgh AIDS Task Force was founded as a totally volunteer response to the need for social support and timely information about the developing AIDS crisis; and,

WHEREAS, the Pittsburgh AIDS Task Force has grown since then to include a professional staff and a legion of volunteers who work to provide direct support and information to everyone who is affected by HIV/AIDS; and,

WHEREAS, the global spread of HIV infection and AIDS necessitates a worldwide effort to increase communication, education and action to stop the spread of HIV/AIDS; and

WHEREAS, the Joint United Nations Program (UNAIDS) on HIV/AIDS observes December 1st of each year as World Aids Day, a day to expand and strengthen worldwide efforts to stop the spread of HIV/AIDS ; and,

WHEREAS, the American Association for World Health is encouraging a better understanding of the challenge of HIV/AIDS nationally as it recognizes that the number of people diagnosed with HIV and AIDS in the United States continues to increase, with 688,2000 AIDS cases reported (as of December 1998); and,

WHEREAS, World AIDS Day provides an opportunity to focus on HIV infection and AIDS, caring for people with HIV infection and AIDS, and learning about HIV and AIDS; and,

WHEREAS, the 1999 World Aids Day theme, AIDS - End the Silence, Learn, Live!, encourages us to listen to young people, hear their views and concerns, and engage them in conversation about issues concerning sex, sexuality, and HIV/AIDS while learning from one another about respect, participation, support, and ways to prevent HIV infection and to live in a world where fewer people are infected with HIV, where the rights of young people are protected and where those living with HIV/AIDS are cared for and are free from discrimination.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby encourage its citizens to take part in activities and observances designed to increase awareness and understanding of HIV/AIDS as a global challenge, to take part in HIV/AIDS prevention activities and programs and to join the global effort to prevent the further spread of HIV/AIDS; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, December 1, 1999, to be "World AIDS Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Bob, do you want to come up and tell us all the events that are going on tomorrow?

Mr. Fikuma:

There certainly are a number of events going on in the area including a commemoration at the Third Presbyterian Church put on by the Pitt Men's Study. There's a special presentation at the Frick Arts Center on the Pitt Campus about ethics and the AIDS epidemic in relation to information. There are a number of other events going on throughout the community.

I also want to take this opportunity to thank Councilman O'Connor and City Council for recognizing World AIDS Day this year. It's especially appropriate because the success that has occurred in the fight against AIDS has, unfortunately, tended to obscure some of the challenges that still lie ahead. Success has been in the way of treatments that are effective and that are extending the lives of people who are living with HIV and AIDS.

But, the challenge is that there are more people than ever living with HIV and AIDS and they require continued support and care from the community. So, the challenge is greater in that there are people who require our attention and care. The challenge is also great because the AIDS epidemic has moved into communities that, all too often, are overlooked and neglected.

The AIDS epidemic has moved more rapidly into the minority community and into the African American community. It is affecting people who are already dealing with the economic disadvantage and other difficulties in becoming full participants in our community.

So, it's important that we recognize that the AIDS epidemic is still with us. Although we have succeeded in prolonging the lives of individuals who are affected, the challenges are still great in supporting them to have a good quality of life and to extend our efforts into communities that all too often do not benefit from advances in health care.

So, again, I want to thank Council for recognizing the taskforce on this day. Also, to draw attention to the challenges that still lie ahead.

Thank you.

The Chair:

We have a Unity Day coming up Saturday. Would Charles Morrison please come up? This is our last proclamation and then we'll get to the kids.

Again, you all know what the Human Relations Commission does if not for the children here. Their duty is to really prevent hate crimes and work with our neighborhoods who may have issues concerning different hate crimes. They really do an outstanding job. I think it's starting to change the world and change our city. It's something that all of us have to be involved with. I'm certainly glad all our youngsters are here to hear and see what you're doing. You can explain some of them after I read the proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 2311 WHEREAS, it is wholly appropriate for the people of the City of Pittsburgh to give pause from time to time to reaffirm our civil and spiritual beliefs in order to promote peace and harmony among ourselves; and,

WHEREAS, Thomas Jefferson wrote in our Declaration of Independence, "We hold these truths to be self evident: that all men are created equal, that they are endowed by their creator with certain inalienable rights, among these are life, liberty, and the pursuit of happiness...."; and,

WHEREAS, President Franklin Roosevelt, in an address to Congress stated, "In the future days, which we seek

to make secure, we look forward to a world founded upon four essential freedoms. The first freedom is freedom of speech and expression -- everywhere in the world. The second is freedom of every person to worship God in their own way -- everywhere in the world. The third is freedom from want...everywhere in the world. The fourth is freedom from fear...anywhere in the world; and ,

WHEREAS, Martin Luther King, in his inspirational "I Have a Dream" speech advised, "There is some thing that I must say to my people who stand on the warm threshold which leads to the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred."; and,

WHEREAS, the Dali Lama, in an address to the United Nations Conference on Human Rights said, "'No matter what country or continent we come from we are all basically the same human beings. We have the common human needs and concerns. We all seek happiness and try to avoid suffering regardless of our race, religion, sex or political status. Human beings have the right to pursue happiness and live in peace and in freedom."

WHEREAS, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh encourages all citizens to reflect upon the freedoms provided for by our government and the spiritual direction embodied in our diverse religious beliefs, to love one another. We ask during this season of peace and goodwill to have tolerance in our thoughts and kindness in our deeds, to respect the rights of others, and realize the vision of those who came

before us by working for liberty and justice for all.

AND, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend those who will gather at a Unity Day Event at 12:30, Saturday, December 4, 1999, at the Federal Building in order to pray for these things, to gather in peace, celebrate our unity and demonstrate to those who would want otherwise that we are firm in our convictions and will not yield to hatred, bigotry and racism and injustice. In recognition of this event the Council of the City of Pittsburgh does hereby declare Saturday December 4, 1999, to be "Unity Day" within the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Charlie, you do a lot for community. Do you want to tell us what's going on.

Mr. Morrison:

I would love to. Thank you.

Good morning everyone. I'm Charles Morrison. With me is Yancy Miles and Mia Giunta.

We, together, have worked with a number of organizations. One in particular is the Coalition to Counter Hate Groups, in putting together a Unity Day

event this coming Saturday. It will begin at 12:30 at the Federal Building with a gathering. Then, move from the Federal Building to the Smithfield United Church at 620 Smithfield Street where we will have a series of workshops on a variety of topics. There will also be music, art and a number of interactions among people to enjoy one another, to spend time together constructively, and to work toward solutions that so often divide us.

We believe that from time to time it is necessary for us to take a moment and reflect and work toward solutions to those many, many problems that we all face. None of us are immune from those problems that face us in life. We can't continue to oppose one another because of our differences. The speakers before us spoke about Pittsburgh is a first class city and, indeed, it is. One of the things that we have going for us are the dedicated individuals who live in this area who work toward its betterment in terms of our relations among one another.

It is in this effort that we will come together this Saturday. I encourage all of you to join us on Saturday, December 4th.

I'd like to acknowledge and thank this Council for its support in this regard.

Thank you.

Mr. Diven:

At this time, I'd like to call up Sergeant Burke and the guests that are here with the Law Enforcement Officers Memorial.

Each year Council has the distinct privilege of supporting and sponsoring

Project Blue Light Week here in the City of Pittsburgh. Today I'll be reading the proclamation into the record and declaring this week, the week of December 6th, as Project Blue Light here in the City of Pittsburgh.

MR. DIVEN PRESENTS:

No. 2312 WHEREAS, Project Blue Light is a special event that, during this holiday season, affords the people of Pittsburgh an opportunity to demonstrate their support for the men and women of the Pittsburgh Bureau of Police who are working night and day to keep the streets of the City of Pittsburgh safe; and,

WHEREAS, Project Blue Light asks Pittsburgh residents to display a single blue light in their window during the holiday season in remembrance of law enforcement officers who have lost their lives in the line of duty and in support of their loved ones and families who must confront the reality of their loss every day of the year; and,

WHEREAS, Project Blue Light is also a sign of the public's support for law enforcement officers who have been wounded or disabled in the line of duty; and,

WHEREAS, Pittsburgh's Project Blue Light is sponsored by the Fraternal Order of Police's Fort Pitt Lodge No. 1, and Fort Pitt Lodge No. 91, Fort Pitt Lodge No. 1 Auxiliary, and the Law Enforcement Officers Memorial of Allegheny County.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the Fraternal

Order of Police's Fort Pitt Lodge No. 1, and Fort Pitt Lodge No. 91, Fort Pitt Lodge No. 1 Auxiliary, and the Law Enforcement Officers Memorial of Allegheny County for sponsoring Project Blue Light and hereby declares the week of December 6, 1999 through December 13, 1999 to be "Project Blue Light Week" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Diven:

At this time, I'd like to call up Sergeant Burke and ask him to make some comments. I know all of you do an awful lot of work throughout the year. This is a time when the people of Pittsburgh can show your support by placing a blue light in their window. This is to let the officers that are out in the evenings fighting to keep the city safe know that there are people at home that are thinking about them and sending their support to those officers who have fallen in the line of duty and their families.

Mr. Burke:

Good morning everyone.

My name is Bill Burke. I'm a retired Sergeant from the City of Pittsburgh police. I'm also the Chairman for the Law Enforcement Memorial. This is my last year as chairman. I have with me Bruce Myon (Phonetic) from the Shaler Police Department who will be the new chairman for the Law Enforcement Memorial and Vince Vazeno (Phonetic),

the President for the Law Enforcement Memorial.

These gentlemen will be taking over in my place. I'll still be along with them working for your support of law enforcement in Allegheny County. We have a police memorial over near Three Rivers Stadium. Councilman Onorato has helped us get a ramp and lights over there through City Council and contractors. We applaud him for his help in doing this.

Our project Blue Light, every year at this time, we ask people in the city and the county to place a blue light in their window. What this does is shows that you support law enforcement in your community.

It's for the officers who gave their life, but it's also for the officers who are out there everyday, 24 hours a day, 365 days a year. If you would roam around the night, as the officers do protecting your community and you see this blue light shining, it shows that we have backing. If you have a chance, go over to Memorial Row, as Councilman Ferlo has named the memorials over there by the Stadium, you'll see the police memorial, you'll see the Vietnam memorial and you'll see the Korean memorial. Each one of these show that men have given their life for this community. It also shows that there are people still living.

We applaud everyone, the police, the servicemen and you the people, the citizens of the City of Pittsburgh and the County of Allegheny for your support.

If you would, put a blue light in your window. On Monday, you can join us in lighting a blue tree, which will be

down in the lobby. We'll be there with Earl Jones and his Peace on Earth Program. We are dedicating this tree to the city and county. Come down and see what blue lights and blue tinsel and blue ornaments and blue candy canes mean. It shows support for that thin blue line that is out there supporting you.

Thank you very much.

Ms. Verner:

Good morning.

My name is Andrea Verner. Earl Jones and I are here on behalf of GBC Barbell and Deb's Body Shop to donate this huge stuffed animal here to the Public Safety to kick off the arrival of Santa and Mrs. Santa and its elves at the City County Building on the December 10th.

Santa and his family will be giving away stuffed animals to children of the surrounding area in memory of Rego Steal (Phonetic).

Thank you.

Mr. Jones:

Good morning.

I'd like to thank all the Councilmembers and Council President Bob O'Connor.

I've been involved with the police for over 10 years. I've been promoting the police and they've been promoting peace on earth. I think it's a wonderful thing because in the back we have a K-9 dog. This dog will be in honor of Councilman Diven's wonderful job in supporting our

Safety Department. It will be placed beside the tree in the lobby where we're going to give away hundreds of dollars worth of stuffed animals to worthy people on December 10th. It's a pleasure for me in recognizing the late, Pat MacLamere (Phonetic). He was the founder of Peace on Earth with myself, Joey King and Dave Mora, he is a paramedic.

I'd like to thank all of you for letting me be here today. I'm proud to have the police force as my friends. Thank you all very much.

The Chair:

Earl, do you want to come up? It's an exciting time in Council. Thanks for bringing so many special guests down. I believe we have 50 people who are winners of the Peace on Earth contest. We have Earl, Ron, Raymond and Joe from the DA's Office.

Mr. McClain:

Only my mother calls me Raymond, but that's okay.

I'd like to start off with a few thank you's. First of all, on behalf of the Pittsburgh Public Schools. Obviously, first and foremost Mr. Earl Jones.

What can we say about Earl? He's the kind of person who really makes Pittsburgh some place special. I hope that someday in the future, maybe my friends in the parochial schools can use their influence to get him saint hood because he certainly deserves it. He's a wonderful man. Thank you for all your help and support.

Again, to City Council and all of its members, thank you very much again for this venue and for your continued support. Also, District Attorney Zappala, National City Bank and Knights of Columbus and other groups as well. Thank you very much.

What I'd like to do now, in the interest of time, is call out the names of our 20 winners from the Pittsburgh Public Schools. I'll ask you to please stand and remain standing while I read a proclamation from the Mayor of Pittsburgh.

At the elementary level, our first winner was from Joseph Barbish from Regent Square --

The Chair:

Bring them up so we can get a group picture.

Mr. McClain:

Joseph Barbish from Regent Square; Trenita Finney from Fulton Academy; Benjamin Frisch from John Minadeo; Barbara Galvanek from John Minadeo; Kaylin Horgan from John Minadeo; Kirssy Lemasters from Mifflin Elementary; Shalonda Manigault from Weil Technology Institute; Ashley Medina from Philip Murray; Charles Mietzner from Liberty; Haley Miller from Mifflin; Celeste Nelson from Philip Murray; Eirene Patty from Fulton Academy; and Ladrina Riley from Miller African Center Academy. Those are your elementary winners.

Now, at the middle school level we have Jessica Burch from Millions

Technology Academy; Hoai Dang from Arsenal Middle School; Kenya Freeman from Millions Technology Academy; Stephanie LeDonne from Arsenal; Rebecca Maiers from Arsenal; Andrea Niedbala from Millions Technology Academy and Jaqueda Pearson from Arsenal. These are your winners from the Pittsburgh School.

At this time, I've been asked to read a proclamation from the Mayor in honor of Peace on Earth.

MR. MURPHY PRESENTS:

By virtue of the authority vested in me as Mayor of the City of Pittsburgh, I do hereby issue this proclamation honoring the Peace on Earth Contest Award Recipients in the City of Pittsburgh; and

Recognizing the continued efforts, dedication and devotion of the residents of the City of Pittsburgh to realizing the goal of world peace; and

Recognizing the wonderful work of the award recipients of the How to Promote Peace On Earth Contest sponsored by Mr. Earl Jones and his many supporters in and around the community, including the Knights of Columbus; and

I am delighted to offer this proclamation honoring the How to Promote Peace On Earth Contest Award Recipients and to offer my sincere gratitude to everyone who has worked towards this important goal.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Pittsburgh to be fixed.

Signed Tom Murphy, dated November 29th.

I'd like to introduce Dr. Ronald Bowes from the Diocese.

Dr. Bowes:

We'll have to work on that saint hood for Earl.

There was an article in the paper over Thanksgiving in the Post Gazette and the Tribune Review about a school in Philadelphia called St. Francis DeSales. They had just won an award from the Philadelphia Bar Association for their pursuit of peace and justice and it really struck me.

What they did was establish a peace table where a stuffed toy lion and a stuffed toy lamb were placed. Taking their idea from the Book of Isaiah in the Bible, they urge children to meet at their table and if they had any problems they would resolve them there before these problems went any further. It has been working so well that it's been recognized in the community and almost all the schools now are doing this despite the fact that this particular school is what you might call in a very difficult neighborhood. So, this peace table is working.

Earl Jones deserves a similar award for initiating this wonderful World Peace Contest here in Pittsburgh for all these years and I think it's been over a decade now. Young people are asked to focus on ways to promote peace in their communities. Their participation and ideas will, hopefully, build a more loving and caring community where the rights

and needs of others are respected, protected and fulfilled.

I wish everyone here in this room a peaceful and blessed holiday and I urge all of us to continue to care for one another as brothers and sisters made in the image and likeness of God.

Thank you very much for giving me the opportunity to say those words.

I would like now to call up the winners of those children in the Catholic Diocese of Pittsburgh in our Catholic Schools in Allegheny. We spread it out because of the fact that we have so many schools, we have 126 schools, throughout the Diocese of Pittsburgh.

The first winners, I noticed that the little fellows that said the pledge and the little girl; the two fifth graders and the six grader, they left, I believe. I saw them go out the door. But, I would like to mention them anyway.

The first winner of the essay contest was James Duke Pitts, what a great Pittsburgh name, he's from St. Cyril of Alexandria on the North Side; the second essay winner is Hydi Gitlemeyer, a third grader from St. Joseph Regional in Portview. In the creative writing category, we have Lauren Bursik from St. Alexis out in the North Hills. Also in the creative writing category, we have Carrie Macelco from St. Simon and Jude that's in Greentree. In the art category, we have Alesa Bobac, a fourth grader from Bishop McDowell, which is in Baldwin. Also in art we have Samantha Bionke from St. Cyril of Alexandria on the North Side. The best primary artist was Kalsey Calliger from St. Louise de Marillac. The

best primary poem was Brittany Strisco from Duquesne Catholic in Duquesne, Pennsylvania.

The six through eighth grade essay contest, Kevin Crock an 8th grader from St. Valentine out in Bethel Park; the second winner is a sixth grader who's in the class with my son, Jason Conley from St. Louise de Marillac. In creative writing is Nicholas Lahane from Sacred Heart in Shadyside; also in creative writing is Chad Thompson from St. Valentine in Bethel Park. In art we have Charlie Greenwald from Bishop McDowell and Grant Spike from Sacred Heart. The best artist Hanna Horan from St. Ped.

We also have some high school winners. In the essay contest, we have Brendan Bows from Central Catholic. In creative writing we have Vanessa Haushalter from Mt. Alvernia, Antonaila Masarelle from Mt. Alvernia and Kayla Gregis also from Mt. Alvernia.

So, congratulations to all of our winners here in the Catholic Schools.

I also have a proclamation to read from our newly elected County Executive Jim Roddy.

MR. RODDY PRESENTS:

I would like to congratulate all the Allegheny County School children that participated in the Peace on Earth Contest and also the people that devoted their time towards its success.

About ten years ago, I had the pleasure of meeting the founder of these campaigns, Mr. Earl V. Jones. A gentleman that spoke well of all people

and expressed his desire to voluntarily promote world peace.

At the request of Representative Bill Coyne, Earl attended the 1994 Peace Summit at the White House with President Bill Clinton and President Yeltsin. Both presidents acknowledged that his peace contest in Russia were in the forefront long before our president was able to achieve his contacts there. Also, in 1988, Earl's name was placed in the Senate Congressional Records by Senator Rick Santorum.

Earl told me that this peace campaign was made possible by people all working together and because of support of people like Dr. Ray McClain from the Pittsburgh Public Schools, Dr. Ronald Bowes of the Diocese of Pittsburgh, the local TV stations, newspapers and radio talk media, two political parties, the Masons, the Knights of Columbus, the Public Safety Department, the NAACP, the United Steel Union, National City Bank, Duquesne Light Company and District Attorney Stephen A. Zappala, Jr.

So, thank you.

The Chair:

Would Joe Astori from the DA's office come and say a few words.

Mr. Astori:

Good morning, ladies and gentlemen, thank you.

This is a part of our job that we really enjoy, obviously, working with these children. I would just like to say that all

you guys are to be commended on a job well done.

On behalf of District Attorney Stephen Zappala, we just want to give our sincere thanks and our gratitude.

Thanks so much.

The Chair:

Earl, could we maybe have one of the kids from each, public and parochial read theirs?

Mr. Jones:

Can I have one minute?

I'd like to thank everybody that's been involved in this. The City Councilmembers have been helping me over the years.

All of this has brought together, due to respect, respect for all mankind. In the lobby right outside of this door, there are 12 sheet cakes and they were paid for by the Masons and the Knights of Columbus, two outstanding people that I really respect. On the sheet cakes, they have the 10 Commandments. So, we'd like to thank Giant Eagle for making the sheet cakes. I appreciate it if the people in this audience and other people would take their share of cake because I'm not taking them back.

Thank you all ever so much.

The Chair:

Who wants to volunteer to read one?

Charles Mietzner:

Water does not hurt, but when it's mad it may flood. But, then, it calms down. Water is calm just like peace. It is very delicate just like how a bridge falls down when it's been run over too much. But, if we stop the violence, the bridge of peace will not fall down. I think when we all start to be kind to one another, the water will be happy and it won't flood anymore.

The Chair:

Which school do you go to?

Charles Mietzner:

Liberty.

The Chair:

Can we have somebody from the catholic school who would read one?

What grade are you in?

Nicholas Lahane:

Seventh.

Cruelty fathers a murky spite, that blows out the flames of peaceful light. Taunts can hurt more than a blow to the face, so do not tease, especially for religion or race. We should be kind to all people and give them respect, but instead their feelings we neglect. If a person is gloomy and their face bears a frown, we must lift them up, not pull them down. Love those around you who love you not, in your life and in theirs it does a lot. So promote peace, tolerance and unity, and work in your life for a better community.

The Chair:

Thank you all for coming down. Just seeing you youngsters, I think we have a better city already.

At this time we will take any public comments. Anybody wishing to address Council, please step to the microphone and give your name and address, please.

PUBLIC COMMENTS

Ms. O'Toolford:

Good morning. My name is Barbara O'Toolford. I reside at 810 Hillgrove Avenue, Pittsburgh, PA 15216

I'd like to thank the Honorable Mr. Hertzberg for helping our neighborhood. We are very indebted to him.

The reason why I'm here today is I live at 810 Hillgrove Avenue. This concerns the property at 812 Hillgrove Avenue and 814 1/2 Hillgrove Avenue. The property at 812 Hillgrove Avenue is owned by a gentleman by the name of John Sweeney who resides in Brookline. The property at 814 1/2 is owned by John Swartz. They have been dumping without a permit, dumping over the prescribed footage. The dirt contains metal, foul smelling garbage. The origin of the soil, we don't know.

I'm asking City Council if they would please have these citizens remove this environmentally contaminated soil.

Thank you very much.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street.

I was pleased to see the children from the Pittsburgh Public School system. They were some of the best behaved children I have seen in a long time.

A lot of the times you hear things about the Pittsburgh Public School you may hear about our children. But, it was a good example today. They sat through that long procedure and they were fine. You didn't even know that they were in here.

Also, I want to give praise to the principal, to teachers and support staff and the volunteers and parents that brought the children. We need to have that type of activity for them to learn what Council will do and what they can do.

I have come here today to use City Council to ask, have you found any way for the children to go swimming free this summer? Parents call your councilman and woman and call down and tell them you want the children to go free. If you remember last year, Ms. McDonald said that not one parent had called and you had no problem with the children paying. But, so many children were left standing at the gate looking in.

We're asking that we be able to use that \$60,000.00 that Mr. O'Connor didn't know he had and Valerie told him it was for the children. Or maybe we can use some of that \$182,000.00 that you found. I stand to be corrected on that amount, but there was some other money you found. I came down here and I begged, please let

our children go free. You had that money and you didn't use it.

I would like to speak, if I could, to Chief McNeilly of our City policemen. I watched him as he talked about his son and I saw the pain. Many of us know what he's going through and have been through that ourselves. But, Chief McNeilly, I look at you in another light when you said that your son would not be treated any differently. I am glad that you did. I'm quite sure that your son will be a better person because of that. Maybe when he gets older he'll look back and say, my dad did the right thing. I applaud you.

Unlike like Chief Fadzen, the Head of our Security, for the Pittsburgh Public Schools, who went on a drug raid with his son who works for the Housing Authority. I think he thought he was helping his son out, but it seems like they both broke the law.

Chief Fadzen has placed our children in very difficult and trying situations. Chief McNeilly here in Council told me that Chief Fadzen did not tell him about the incident where the school guard took the little boy out the room. Chief McNeilly I told you then and I will say now, I believe that he didn't. He has proven himself to be a liar.

Thank you and have a nice today.

Ms. Urquhart:

Good morning, Council.

My name is Dorothy Urquhart. I reside at 5811 Penn Circle North. My P.O. Box is 5491.

It is cold. It was a very cold night and day in my house. I must find someone to carry my kerosene because I can't carry it. Another month and I must pay again for something that I never had, for renovations that were never done. I must pay for the fraud that was committed by the URA, the Urban Redevelopment, who was paid a contingency fee to oversee the money and the construction of my home.

Many people have wondered why the URA has been so hard and has not corrected their wrong. It's not surprising to me in this City and in this state. In 1950, my father, my husband, my brother and my brother-in-law all worked for the Pennsylvania Railroad. They were all furlowed and I had to write them a letter. They had been all furlowed for so long. I wrote the Pennsylvania Railroad to find out why were they off so long and they had called some other employees that were white back. They put them back to work right away after the letter. I have been having to fight since 1950 against discrimination and racial discrimination that is practiced here in Western Pennsylvania.

In 1975, I had to fight the Port Authority here in Allegheny County to work. There are five garages in Allegheny County but they were only passing black women out of the East Liberty garage in 1975. The discrimination is practiced wide open, but nobody does anything about it.

What happened is I sued the Port Authority for discrimination in 1975. The headman who was practicing it in which all of them are practicing it. Down here at the city, they know all of the discrimination that is being practiced. It's

time for someone to put a stop to it and it should start right here at City Council.

The Port Authority knew that they were practicing discrimination and they weren't passing black women out of West Mifflin, Ross or Harmarville; they were only passing out of East Liberty. This kind of discrimination has to stop and it's still going on wide open very bad here in Western Pennsylvania.

Yet, when you read, the tax dollars the URA has there is black dollars mixed up in there.

I will be back tomorrow and let you know why they're so hard. I will fight for my rights and I'm going to continue to.

The Chair:

Thank you.

Anymore speakers?

Hearing none, we will move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 2313 Resolution authorizing the City of Pittsburgh to enter into a Cable Television Franchise Agreement with TCI of Pennsylvania, Inc., d/b/a AT&T cable Services.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. COHEN moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 8th calendar day in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. FERLO PRESENTED:

No. 2314 Resolution providing for the issuance of a warrant in favor of Mackin Engineering Company in the amount of \$15,000.00 to cover costs associated with the design of repairs to Cape May Bridge sidewalk; and providing for the payment thereof.

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD PRESENTED:

No. 2315 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the Public Auditorium Authority of Pittsburgh and Allegheny County (Sports and Exhibition Authority of Pittsburgh and Allegheny County) for the sale of Parcels 14 and 20 (Block 8G Lots 133, 134, 144, 145, 149, 150 & 151 and Block 8H Lots 185, 199, 200, 201, 202, 204, 205, 207 & 208) in the Twenty Second Ward of the City of Pittsburgh in Redevelopment Area No. 39, Council District No. 1, East General Robinson Street (parking garage construction). ---**(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)**

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 2316 An Ordinance amending the Pittsburgh Code, title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax Section 263.01, levy and Rate on Lands and Buildings, by levying the real property tax for [1999] 2000.

No. 2317 An Ordinance amending the Pittsburgh Code, title Two, Fiscal, Article VII, Business Related Taxes, Chapters 245, Earned Income Tax and 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for [1999] 2000.

No. 2318 Resolution Designating Banks and Lending Institutions to act as Depositories for the year 2000 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

No. 2319 Resolution granting the Historical Society of Western Pennsylvania, a license agreement to install, maintain, repair, renew and finally remove at their own cost and expense, a historical marker on City of Pittsburgh property, designated as Block 23 R, Lot 157, located in Allegheny Center, in the 22nd Ward.

No. 2320 Resolution making appropriations to pay the expenses of conducting the public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2000

No. 2321 Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of

compensation thereof, and setting minimum levels for designated positions.

No. 2322 Resolution adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, "by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments.

Which were severally read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to Unfinished Business. Is there any unfinished business to come in front of Council?

Mr. Cohen, do you want to brief us for a moment on TCI?

Mr. Cohen:

I'd be happy to Mr. President recognizing, of course, that we've got certainly a lot of discussion ahead of us on the franchise agreement.

I wanted to tell Council that the negotiating team has reached an agreement with AT&T on a franchise renewal agreement. That, of course, is subject to council's approval and its review. We have a public hearing, which you scheduled for December 15th at 2:00. We would like to have this agreement approved or whatever Council, in the end, decides, approved by the end of the year because that's when the franchise agreement now expires. So, I recognize that it requires Council to focus on this.

As far as the agreement itself, it's a good agreement for the City of Pittsburgh from my perspective. There's a lot in this agreement so, certainly, it will require briefing Councilmembers again before the public hearing.

It's really not just able cable television, it's about how we communicate with ourselves and how we communicate with the outside world. That means it's about business, it's about education and how our residents really communicate with each other. With this agreement, Pittsburghers will be able to communicate with each other and with the outside world much better and faster.

Quickly, four areas that I wanted just to highlight and then we'll certainly have much longer discussions at the appropriate time.

AT&T has committed to put \$40 million dollars into upgrading the current cable system. That puts us in a very small group of cities, probably six to eight cities around the country that AT&T is spending that much money to upgrade our system.

For people who want to know how that is going to affect them, it's going to mean a lot more channels. Perhaps, even more important, I know Councilman Ferlo has been raising this a lot, it means no A/B switch anymore. They are going to send these channels through one wire and you won't have to get up and flick a switch to get half the channels. So, it will be a lot more capacity, no A/B switch.

It also means that AT&T will be providing high speed Internet access through their at home service and also, relatively soon, phone service. So, that

Pittsburghers will actually have a choice for the first time in local phone service. Whether they go with AT&T or not that's up to them. What it does do, though, is it creates a competitive environment with Bell Atlantic.

Number two, on customer service. The agreement sets forth, I think, it's seven or eight pages worth of, customer service standards that AT&T has to meet. TCI has, frankly, had a poor record when it comes to customer service. We recognized that and it came out at the public hearing as well. This has a very strong customer service section. It includes everything from how long a customer has to wait on the phone to get a customer service representative from AT&T or how long you have to wait at your home to get a technician to come to your house. For example, there's a four-hour window and it can't be any longer than that. They can't say we'll have a technician there on Tuesday and you have to wait at your home all day. Those are just a couple of examples.

Then, it has a strong enforcement section that if they violate those standards the City can enforce it with monetary fines. What are known in law as liquidated damages. So, that's a pretty strong customer service section. I think we'll see a real improvement with AT&T over TCI.

Community access, AT&T has committed to a number of things. One is an institutional network for our own buildings, 25 of our buildings will be hooked up to a separate what's called an I-net, be able to communicate with each other at the highest possible speed. They've also agreed, and this was an

important issue for me, to provide what's called cable modem service to all of our rec centers and our senior centers. Two cable modems for each of those sites, that's six computers for each of those sites, 40 sites all together with 2 cable modems at each site. So, that's significant.

They've also agreed to wire the schools and 88 community sites to the pole. I know there's some discussion on that and there will be continued discussion about that. I met with AT&T just this morning on that issue. At least, as of today, AT&T has agreed to extend their fiber line to the telephone pole for all of the public schools in the City of Pittsburgh and also to have 88 sites for community access around the city. So, that I'm sure will be a subject of a lot of discussion.

Finally, the open access issue, which many of you were lobbied by this open access coalition, by GTE and local internet service providers. The result of that, I think, was one that will eventually mandate open access for Internet service providers. What it says is that if AT&T provides open access in any other of their systems, either voluntarily or involuntarily by court order or by the FCC, then they would have to provide open access here in the City of Pittsburgh as well. I think that, frankly, was the best result. It's one that AT&T fought hard until the end. I think it's one that prevents us from having to go into federal court immediately. It gets the franchise agreement done. At the same time, preserves competition and consumer choice.

So, that's really just an overview of the agreement. The agreements, as I understand, are being distributed to Councilmembers today. So, everybody

will have a chance to look at it and be able to review it.

The Chair:

Thank you and thank you for all your hard work.

Ms. McDonald:

I have a question to Councilman Cohen. I received a phone call from a school board member as well as other phone calls about the miscommunication in which AT&T would wire to the poles but not to the schools. I was just curious since everyone seemed to be very much on top of this, how could there have been such a miscommunication that equates to a big monetary amount, a big dollar sign, in terms of the wiring from the pole to the actual schools and what would be that dollar amount? I've asked and I've gotten actually no hard amount as to how much it would cost either AT&T or the schools to wire from the poles to the schools.

Mr. Cohen:

I don't believe that there was miscommunication, frankly. But, if I could ask you to hold off on that for a couple of days, no more than that. I met with AT&T this morning. We're meeting with the School Board Superintendent, Helen Fason, tomorrow morning. I think we'll be able to work that out, Councilwoman.

Ms. McDonald:

Great. Thank you.

Mr. Udin:

Thank you.

I want to thank Councilman Cohen for all of the work he has put into this. I know we'll have an opportunity to discuss this whole thing more fully.

But, just your mention of additional channels kind of scared me to death. If there's anything I don't need is more channels. What I would like, however, is to be able to select which channels I would like to watch and pay for and which ones I don't. I'd be interested in finding out whether or not the new package unbundles all of these channels and gives the public the opportunity to pick and choose what they want and not have to watch a lot of channels, and pay for a lot of channels, that they do not use and do not watch.

Mr. Cohen:

That's a good question and one that's come up a lot particularly at the Cable Advisory Commission. The answer is no, it does not.

The reason it doesn't is because we do not have the legal right, unfortunately, to require what -- I think what Councilman Udin is referring is a la cart programming. We just, unfortunately, are not legally allowed to do that. However, we have pushed that very strongly with AT&T. AT&T has agreed to do a customer survey and to use the results of that survey in there and how they put the programming together. That customer service is being worked on, I think, with the Cable Advisory Commission. But, unfortunately, Congress has not given us the right to legally require programming decisions.

Mr. Ferlo:

Briefly. First of all, obviously, I want to thank Councilman Cohen and all the folks who worked hard including Mr. Akers and others from the Law Department and including some of our outside consultants.

I did want to make sure that the Cable Committee receives a copy of whatever the draft agreement is along with Council today. I don't know what the procedure will be, but maybe you could just meet in joint session so when we have our public hearing we can also have the Advisory Board seated with us. It will be a lot easier than having two separate hearings. I didn't know if that was the plan, but I'd like to suggest that and we did that once before in the past. It will cut down on two public hearings and probably make it a lot easier. Also, we can share and learn from the Cable Committee directly.

Thirdly, I did strongly stress, at least, two months ago, not only about the A/B switch and other issues I'm concerned about. But, to the extent that we do something for the public schools I'm also concerned that we do for parochial and private. So, when we keep saying the line will be made available outside the building at the telephone pole I would want to make sure that whatever it is that we equity with the parochial, public and private schools in the City.

The Chair:

When I met with AT&T, they guaranteed me, at least I was under impression that the parochial schools and the public schools were getting both

access. That's a good point and I'm assuming it is in there.

Mr. Ferlo:

To the extent that some compromise is being offered, I don't know what it would be necessarily, but if we have to dedicate some money from the trust fund I would, at least, be willing to consider that to help out the school situation. But, I would want them to be the parochial school, the public and private schools in terms of joint accessibility.

Mr. Cohen:

Councilman O'Connor mentioned that to me as well and I think over the next couple of days we'll be able to resolve that hopefully.

On the issue of the Cable Advisory groups real quick. Gil Lancia, the Chair of the Cable Advisory Commission, sat in on every internal meeting we had, internal negotiating meeting. They will definitely get the agreement and have an opportunity to review it and give us their comments before we act on it. As far as having them at the public hearing, I think that's a good idea.

The Chair:

Again, this will come in front of us tomorrow, right?

Mr. Cohen:

We're going to Rule 8 it and just refer to the public hearing.

Mr. Hertzberg:

Thank you.

Like Councilwoman McDonald, I received a phone call last night from a school board member concerned with the situation of the schools. I also share the same concerns for private schools and public schools. I am very concerned.

I think that this should be our first priority, the schools. It should come even before our buildings. If we're talking about our buildings are going to be wired right in with modems, I think the schools should be wired right in even before our buildings get wired in.

I appreciate Mr. Cohen and all the hard work he's done and I appreciate that you're going to focus on that. But, I just wanted to let you know that those are my feelings as we move forward. If there's any one thing that I think we have to focus on, from what I know of the whole deal, that's the one item that I hope we can get resolved. I think it should be our highest priority to find a way to solve that. I don't think it should be that hard. The reality of it is whatever those kinds of public access arrangements are, they end up getting built into the rates anyway. So, I think it's just a matter of talking to AT&T and figuring out what actually needs to get done and what it's going to cost.

Mr. Cohen:

The intent here is not to build those costs into the rate. The intent here really is to get AT&T to do that for free. We're working on that. I think we'll be able to have a resolution soon on it.

One thing I failed to do as Councilman Ferlo just pointed out is to

move to waive Rule 8 on that bill just so we can refer it to the public hearing.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Just one other point. I realized as Councilman Cohen stated, we have limitations because of federal regulations that we no longer have direct input into a lot of the cable rate, obviously. But, to the extent that we can ascertain in this agreement if we have any way to get to this issue of the program costs.

Too often TCI would rip us off because they would own or operate the programs that they would then self-subscribe to their own company and then pass the cost on to us. In other words, when TCI would pick and choose which programs run, they oftentimes had a vested interest in the production of the program. Then, they would mark it up and pass, yet, a second cost on to the ratepayer here in the City.

I don't know if there's anything we can do. But, to the extent that we can get more information on what the justification of rate increases are even at the upper levels, because I do think from time to time we're, at least, able to raise objections both on service and also programming costs at the lower level. But, whatever we can do. I don't know there's any wording in the agreement yet that can begin to look at that issue as well as technology issues.

We keep asking that we be second to none in the industry when it comes to

the technology. We're finally getting rid of the A/B switch, hopefully. But, to the extent that new technology comes up and this technology changes, unlike the last 15 year agreement, the technology changes in a matter of every two or three years. So, I don't know if this is a 10 or 15 or 5 year agreement. I hope we don't sign anything more than a five-year agreement quite frankly.

But, if we're going to lock ourselves in long range, we have to have some guidance on major technological changes in the industry which are happening at a much faster rate than our predecessor with Warren Cable or TCI.

Mr. Cohen:

Just to comment on that. It's a 10-year agreement. By the way AT&T wanted a much longer agreement, that was a hard fought battle. The reason being is because they're investing that much money into it, they want to make sure that they secure that investment.

However, we have a section in the agreement called a state-of-the-art clause. Councilman Ferlo is absolutely right. We can't predict the state of technology even 3 years from now let alone 10 years from now. But, there is a state-of-the-art clause in there that says that as new technology comes into use, that AT&T will provide us with that new technology to make sure that our system continues to be state-of-the-art. That's an important clause.

The Chair:

Again, publicly, I want to thank Mr. Cohen for doing an outstanding job. I think we're about 90 percent there.

As some of you had mentioned, I had at least three school board members call me for private set-up meetings. Without doing that, I've tried to meet with Mr. Cohen. I believe many of you who have already addressed your concerns, if we can direct them to him because he is negotiating on almost a day-to-day basis. So, a lot of this could be worked out before it even gets to the table if he hears our concerns and the school board concerns.

I think our number one priority and all the meetings I had attended, was I presumed it went right to the building and not the pole outside. Also, the parochial schools, people who go to parochial schools are paying double. They're still paying the school taxes and it's educating kids no matter where they are and they should be part of the education. I think you're hearing it loud and clear from all of Council.

Probably the most important and the most exciting thing about this is the educational opportunity for all of us starting with our kids. So, I don't think we want to draw a line between which school they go to, whether it be private, parochial or public. I think it's very important to all of us.

So, as you take that in tomorrow as you meet with them, at least I was under the presumption that it was done anyhow. Evidently we didn't study every issue, but we're certainly there to talk about it when it comes in front of us.

Mr. Onorato:

I just want to point out that I'm in full support also in getting the schools hooked up, public and parochial.

It's just frustrating, again, I can imagine how frustrated Councilman Cohen must be because this issue has been in the public for over a year. I wish the school board would have brought this forward six months ago so that it would have been brought forward that this issue is very important to them and it's not being done. It isn't as though this has been done in secret and no one knew we were talking about cable access. At the last minute, I got calls, too. I can't believe they waited until this last minute unless they were just thinking we'll wait to see what the proposal is and, hopefully, we'll be in it.

They have a lot of paid staff over there, I'm not talking about the school board members, they're not paid, they're part time and they meet at night. But, they have a heck of a lot of administration over there that somebody should be in charge of making sure these buildings are done. They could have been involved with these meetings and could have called the committee.

The total blame, I'm not just pointing at this committee because there's enough to go around here. They could have participated earlier or at least put us on notice through a letter or something that they want to be involved. That's the only frustrating thing. It seems it always happens at the last minute. We find out that a major piece wasn't at the table. Well, speak up.

Mr. Cohen:

Just on that point, Mr. President. John Berry from the School Board

Information Technology, did participate in the I-net group, as part of the I-net group. But, in the nine months that we negotiated this agreement, I did not get a single school board member, from the current superintendent or from the former superintendent. Yet, we still were pushing hard for the schools in this agreement.

Frankly, I thought as you did that at the end of the day we had them all connected to the site, that was my thinking as well. Now that we find out that is not the case, I met with AT&T just this morning. We're meeting with the school board tomorrow and I think we'll be able to work this out. But, I appreciate Councilman Onorato mentioning that.

On Wednesday I think I heard from virtually every school board member and talked to most of them. But, the nine months prior to that I hadn't heard from any of them.

Mr. Ferlo:

Half the kids at this city are taught at Catholic Schools, Yeshiva and other parochial schools. This is not an issue like school choice, which I have major problems with, this is fundamentally a whole different issue. So, whatever we do for the public schools, I'm all for doing whatever we can, I want to make sure it's equitably done for the other school systems.

I would like to know what the cost factor is in relation to the line being brought physically to the building and also if we can get a clarification from Councilman Cohen and the Law Department as to what the federal reimbursement is all about.

We've been paying a higher phone bill for the last several years on the presumption that this money is going to equip technology in the various schools of which the parochial schools are included in that line assessment fee. I don't remember what you call it.

Mr. Cohen:

It's called the E-rate. The Pittsburgh Public Schools, I'm not sure about the parochial schools --

Mr. Ferlo:

The state has made available to parochial schools money from that for technology.

Mr. Cohen:

It actually comes originally from the federal government. It's called E-rate funds. The public schools got over \$2 million dollars in E-rate funds last year. At least, three school districts in Allegheny County have used those E-rate funds to bring the line from the pole into the site, Keystone Oaks, Quaker Valley and North Allegheny. This school board says that they're not able to do that.

As I said, I think it will be worked out. But, it is important for Council to know that the school board gets, I believe, that it's over \$2 million dollars a year in E-rate funding for this purpose.

The Chair:

I was told by one of the school board members that that didn't cover --

Mr. Cohen:

And, they're wrong.

The Chair:

-- I don't know how many buildings we have, over 100 schools. So, it's nowhere near one or two in one of the boroughs.

Again, we hear it loud and clear. We are here and we want all our kids to be educated and get the same opportunities. So, I think that's a unanimous here from Council.

Again, is there a regulation? I understand they want to finish it by the end of the year. It sounds like there's still a lot of issues. We're not committed to having it done by the end of the year. If it happens okay, if it doesn't.

Mr. Cohen:

Mr. President, the agreement expires December 31st. We would like to have it done by the end of the year and I think we actually can do it. I think this particular issue will be resolved over the next couple of days.

The Chair:

Tomorrow morning you can probably resolve two of them and probably have more on third base.

Mr. Cohen:

And, six more will come up I'm sure.

The Chair:

Again, thank you, publicly, Mr. Cohen. I think he's done an outstanding job on behalf of Council in representing all the people of Pittsburgh, especially our children.

Moving on to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2323:

Report of the Committee on Finance and Budget for November 24, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2275:

Resolution authorizing the issuance of a warrant in favor of Lewis Brothers and Sons, Inc., for the purchase of equipment and supplies in an amount not to exceed Twenty Six Thousand Eight Hundred Forty One Dollars and Forty Three Cents (\$26,841.43) for the Citiparks Senior Interests Program; and providing for the payment thereof (PRESENTED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 2276:

Resolution providing for the issuance of a \$27,500.00 warrant in favor

of Renee Lawniczak, c/o David J. Greenberg, Esquire, GREENBERG & GREENBERG, Suite 110 Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 96-12506 in which Renee Lawniczak suffered personal injuries from an intersectional accident with a City of Pittsburgh Emergency Medical Services vehicle on September 1, 1994 on Stanton Avenue in the City of Pittsburgh.

Which was read.

Also,

Bill No. 2277:

Resolution Providing for the issuance of a warrant in the sum of \$5,000.00 to Kathleen Heidkamp and Wayne E. Heidkamp c/o John R. O'Keefe, Jr., Esquire, Crenney O'Keefe, P.C., One Gateway Center, 18TH Floor, Pittsburgh, PA 15222, in full and final settlement of the action filed at GD92-8808 for injuries sustained due to an accident at a crosswalk on Virginia Avenue.

Which was read.

Also,

Bill No. 2278:

Resolution Providing for the issuance of a warrant in the sum of \$10,000.00 to Daniel Kovacs, C/O Avrum Levicoff, Esquire, BROWN & LEVICOFF, P.C., 600 Gulf Tower, Pittsburgh, PA 15219, in full and final settlement of alleged violation of civil rights arising from an incident on July 23, 1992.

Which was read.

Also,

Bill No. 2279:

Resolution Providing for the issuance of a warrant in the sum of \$9,000.00 to Kevin R. Stewart, C/O James A. Ashton, Esquire, 211 Fort Pitt Boulevard, Pittsburgh, PA 15222, in full and final settlement of an action filed at ca 97-1240 and arising out of the arrest of Mr. Stewart on or about October 13, 1995.

Which was read.

Also,

Bill No. 2293:

Resolution authorizing the transfer of Three Hundred Fifty Thousand Dollars (\$350,000.00) from Emergency Medical Services Organization Code 220000, Fund 1000, Account 511000, Sub-Class 010, Budget Year 1999, Salaries-Reg to Emergency Medical Services Organization Code 220000, Fund 1000, Account 516000, Sub-Class 020, Budget Year 1999, Premium Pay. --- (PRESENTED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills.

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

(Mr. Diven abstained and Mr. Ferlo voted no on Bill No. 2278.)

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2324:

Report of the Committee on Public Works and Environmental Services for November 24, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2270:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of Pickup Trucks, Plows and Spreaders for

the Department of Public Works, at a cost not to exceed \$200,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight **NOES** None

The bill has received the legally required number of votes and has passed finally.

MR. ONORATO PRESENTED:

Bill No. 2325:

Report of the Committee on Planning, Zoning, and Land use for November 24, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1930:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Allegheny Traditional Academy and located at 810 Arch Street, and all of the property designated as Block and Lot Number 023-P-078, in the Twenty-second Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1931:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Arsenal Middle School and located at 3901 Butler Street, and all of the property designated as Block and Lot Number 049-E-245, in the Sixth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1933:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Beltzhoover Elementary School and located at 320 Cedarhurst Street, and all of the

property designated as Block and Lot Number 015-M-131, in the Eighteenth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1934:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Colfax Elementary School and located at 2332 Beechwood Boulevard, and all of the property designated as Block and Lot Number 128-A-056, in the Fourteenth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1935:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Concord Elementary School and located at 2340 Brownsville Road, and all of the property designated as Block and Lot Number 045-M-340, in the Twenty-ninth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1937:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of

Ordinances that certain structure known as Fifth Avenue High School and located at 1800 Fifth Avenue, and all of the property designated as Block and Lot Number 011-J-002, in the First Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1939:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Dilworth Elementary School and located at 6200 Stanton Avenue, and all of the property designated as Block and Lot Number 083-H-189, in the Eleventh Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1941:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Friendship Elementary School and located at 5501 Friendship Avenue, and all of the property designated as Block and Lot Number 051-D-087, in the Eighth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1943:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Greenfield Elementary School and located at 1 Alger Street, and all of the property designated as Block and Lot Number 054-K-230, in the Fifteenth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1945:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Langley High School and located at 2940 Sheraden Boulevard, and all of the property designated as Block and Lot Number 042-R-045, in the Twenty-eighth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1946:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Lemington Elementary School and located at 7060 Lemington Avenue, and all of the property designated as Block and Lot Number 173-A-176, in the Twelfth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1948:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Lincoln Elementary School and located at Lincoln and Frankstown Avenues, and all of the property designated as Block and Lot Number 125-A-104, in the Twelfth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1950:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Madison Elementary School and located at 3401 Milwaukee Street, and all of the property designated as Block and Lot Number 026-P-280, in the Fifth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1952:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Mifflin Elementary School and located at 1290 Mifflin Road, and all of the property designated as Block and Lot Number 184-J-032, in the Thirty-first Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1954:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Oliver High School and located at 2323 Brighton Road, and all of the property designated as Block and Lot Number 045-P-225, in the Twenty-seventh Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1955:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Perry Traditional Academy and located at 3875 Perrysville Avenue, and all of the property designated as Block and Lot Number 115-H-110, in the Twenty-sixth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1960:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Schiller Classical Academy and located at 1018 Peralta Street, and all of the property designated as Block and Lot Number 024-

K-216, in the Twenty-third Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1961:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure formerly known as Latimer School, now The Schoolhouse Apartments, and located at Tripoli and James Streets, and all of the property designated as Block and Lot Number 023-M-196, in the Twenty-third Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1962:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Sterrett Classical Academy and located at 7100 Reynolds Street, and all of the property designated as Block and Lot Number 126-L-170, in the Fourteenth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1964:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as

Thaddeus Stevens Elementary School and located at 824 Crucible Street, and all of the property designated as Block and Lot Number 019-C-166, in the Twentieth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1967:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Westinghouse High School and located at 1101 North Murtland Street, and all of the property designated as Block and Lot Number 125-D-200, in the Twelfth Ward, City of Pittsburgh.

Which was read.

Also,

Bill No. 1968:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Woolslair Elementary School and located at 40th Street and Liberty Avenue, and all of the property designated as Block and Lot Number 049-R-236, in the Ninth Ward, City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Yes. I'm going to respectfully have to abstain on all these bills even though, obviously, I'm a strong preservationist. I'm very much in favor of the designation, but I'm not going to vote yes because I feel it totally would condone inequity and just an abuse of designation process by the Commission.

I don't know when we appointed all these politicians to these boards. The Commission is supposed to review the 10 characteristics or factors under the Historic Designation Ordinance and give us advice as to whether or not these buildings are deserving as historic designation. They may also include the adoption or suggestion of adoption of some historic designation guidelines involving the property owners in the manner of which they may alter their buildings or the process by which they would appear before the Historical Review Commission.

I don't like the politics that were played in this. I don't agree with the role that the History and Landmarks played in this whole thing. I resent the fact that McCleary School is not included in the package, which is a historically significant structure in the 10th Ward Lawrenceville community.

Despite the fact that I strongly favor the designation of many of the school buildings in the public realm because of the historical significance, I'm not going to vote yes because I don't agree with the way this process unfolded and I'm not going to vote in favor of it. In voting yes, I would be accepting a process that I think was abortive of the guidelines that

this Council has adopted by a code of ordinances.

Mr. Ricciardi:

Thank you, Mr. President.

It's probably too late for me to ask Councilman Ferlo to reconsider his vote. I should have done that before the meeting. I agree that, unfortunately, it appears that there is a process here that has run a muck. However, I believe the bills before us and the legislation authorizing historic designation for a number of schools before us is very appropriate and relevant. I believe all of them have historic relevancy to them and should be voted yes.

Unfortunately, Mr. Ferlo was unable to join us in the conversation and the debate that we had regarding these bills and maybe he would feel a little more comfortable. As my colleagues remember, there were a host of bills designating certain schools that we were asked to vote no on.

At that time, I raised the issue. Talking about a process running a muck, my temper ran a muck also. I asked them why are we being asked to vote no. Basically, I saw what was happening there. There was a political deal that was made by insiders saying there would be a second level and there would be protection for those buildings under a second level or second tier. I thought that was wrong. I never heard of such a thing. Either a building is historical because of certain criteria or it is not. That's where it should stop.

What we did at the time, Mr. Ferlo, was instead of taking the lead of the

Administration and voting no on those buildings, we held them all for, I believe, two weeks for a number of reasons. First, to await and see what this so-called certain level of protection was and also to give people more time. I believe that they should be voted historical or we should send them back to the appropriate agencies, in this case maybe the Historic Review Commission, and ask them what are their viewpoints. Are they historical or are they not?

At that time, and I just want to repeat one more time, that I still regret a vote that I made several years ago when Councilman Ferlo, as a matter, stood up, came forward, did some very important work for the Oakland community and had a historic district in Oakland. At that time, there was an exemption made for the Cathedral, a beautiful, magnificent building and we exempted that because of lobbying by the diocese and I voted also to exempt that. To this day, I regret that vote because that building was historical and it should not be treated any differently than the other ones.

So, what I'm saying today, colleagues, is obviously I'm voting for the bills today because I believe the schools are historical. I'm looking forward to the debate in two weeks. But, I don't see what it would gain and how we would benefit if we either vote no or abstain on the bills today.

Thank you.

Ms. McDonald:

Thank you Councilman Ricciardi because that was the point of order I

wanted to raise to the Clerk, which bills and which schools are we voting on?

Then, my understanding is that this Body is being asked to give an affirmative final vote on those school buildings, those school buildings that they want full historical status. It's amazing how much dialogue is generated on a designation.

Oftentimes when I look at priorities and what is really meaningful and what is real, it's not even tangible. It's basically a designation. It doesn't gain the school system anything, it doesn't gain the children anything, it doesn't gain this city really much, except possible grants.

But, the bottom line is that this school district which is already in a hole, like the city and county, is going to have to always be pressured to adequately educate all children, children that other schools will reject, but comes through their doors on a shoe string budget and, then, have to deal with extra money that need to be allocated in case they want expansions and in case they want renovations because of a historical status.

Personally, and I'm just being very pragmatic, I don't see how this benefits the schools. I can see if this politicizing of this historical designation generated, emanated from the school district, it didn't. It emanated from an individual who wanted all the schools, basically, designated historical. In their scurry and in their will to try to preserve some type of grasp on their finances to make sure that they're able to have buildings that can be retrofitted within a reasonable budgetary amount to educate the children, they negotiated with Pittsburgh History and Landmarks and came up with a

compromise. I commend them for that. I commend them that they, at least, met somebody half way. They could have fought tooth and nail on this or they could have said oh the heck with it, we'll just raise taxes. Because all our buildings are historical now and it's going to cost a lot more money to change these windows so our darling children aren't cold in the middle of winter, but thank you for that historical designation, it's going to cost us more and we're going to raise your property taxes because the state gives us no other way of raising taxes. Play it out guys, play it out.

I think that this is a good compromise. Personally, if the school system is comfortable with it, then I'm comfortable with it. They have a budget, too. Historical designation seems nice, but it certainly has its downside as Councilman Hertzberg has argued in terms of property rights and what have you. It's a double-edged sword.

I like it, but again, understand there's another edge that can cut and we're not dealing with somebody in a loft apartment or a business. We're dealing with a school system that has to educate absolutely all children, all children on a shoe string budget, that walks in their doors and they're doing the best that they can.

Again, give them a break. I'm going to vote in the affirmative for these buildings. I look forward to the information as to the standards that the school district is going to be held to concerning the other 12 or 14 buildings.

I am thankful that Councilman Ricciardi has explained that this is what we're voting on today are those schools

that the Pittsburgh History and Landmarks and the school system are comfortable with. Again, I think we should celebrate the fact that we do have historical buildings in our school system and we should celebrate the fact that they are not fighting about this as some property owners have, but they're embracing it but they just needed some compromise. I don't call it politicizing, I call it just compromising on the issue.

Mr. Onorato:

I think the process of nomination here is once again the way we nominate buildings, I think is jeopardizing the entire historic designation procedure. This is now the second nomination that has come under fire by this Council. The first one being about a week ago where you had probably the strongest supporter of historic designation legislation even voting no on this Council because of the process and the procedure. I think that the individuals that keep nominating properties better rethink how they do it.

One of the problems here, in addition to the schools that you see here, is the question of which ones weren't designated. Why were they not put on the list. Why were they either dropped or never even nominated. Yet, I'm not an architect, but I look at some of these buildings that weren't nominated, and to me they look like they have more architectural values than some of the schools that were nominated.

The school district being the owner of most of these buildings and agreeing to do this, I'm going to flip the coin a little bit here on the argument that Councilwoman McDonald made. I hope

they don't use this down the road as an excuse to raise the budget and raise taxes because now they have to meet certain requirements, therefore, they need more money to remodel some of these buildings. If that would be the case, I would be very upset that, one, that they endorsed this plan and then use it to raise revenues. As to the shoestring budget, if they have a shoestring budget, then we have a shoe without shoestrings here because they're about \$100 million dollars more than we are.

I will ask my colleagues, once again, to vote no on bill 1961. That's Latimer School. The reason I'm voting no there and this probably takes the argument that Councilman Ricciardi made but I'm taking his argument and arguing just the opposite. That is, I supported the compromise in the Oakland district because you had the landowner, in that case being the diocese, in opposition but working to a compromise in supporting what we voted on. I supported that compromise because the landowner worked with the historic designation. This is the same example. We have a landowner, the school does not own this building, Latimer is privately owned, the property owner is opposed. Since there is no compromise worked out, I will be voting no.

I have always had a problem with property nominated where the owner was opposed to it except when you had a district and the overwhelming majority of property owners were in favor. You might have had a few that weren't in favor and you had to deal with a district as a whole, this is not a district. This is one building in one neighborhood.

The property owner is opposed, there's been no compromise worked out, I will be voting no and I would ask respectfully that my colleagues vote no, too, out of respect for the property owner on this one.

Mr. Cohen:

Thank you, Mr. President.

I think overall this is a good compromise. I agree with Councilwoman McDonald on that point.

I asked that this bill be held for a week so that we could hear from the Pittsburgh History and Landmarks Foundation, that's who nominated all these schools. I wanted to have some sense as to why they nominated some schools and didn't nominate others including, for example, Liberty School in Shadyside in my district. I got some answers and I think that they are reasonable answers.

However, I do agree that we should hold the bills as we did on last Wednesday the bills that concern the schools that were not historically designated, but that the school district has agreed to abide by historic guidelines. That agreement has not been completed yet. I think we should continue to hold those bills until we see the agreement, what it is that the school board actually agreed to for historic guidelines for the other schools including, for example, Alderdice, in your district, Mr. O'Connor.

So, I will vote for these bills today, with the exception of Bill 1961 that Councilman Onorato requested because I think they deserve historic designation. As

for the others, many of which also deserve historic designation, I think that we should hold off on those until we see the agreement that the School Board comes up with.

The Chair:

Which bills will those --

Mr. Cohen:

We actually held those last Wednesday for two weeks. So, those will come up.

Mr. Ferlo:

In light of the wisdom of my elder colleagues, I'll reconsider my abstinence and vote aye except for Bill 1961 on Latimer I'll vote no.

But, I do want to stress the point. I am very concerned about this process because it bows well or bows badly on the designation issue that the Commission is reviewing relative to the Forbes/Fifth Retail Corridor.

I don't want a political assessment of the Forbes/Fifth Retail Corridor. We're asking the Commission to evaluate the historical appropriateness of individual structures in that corridor. I hope they will provide us with a written and thought out report including commentary from the public and others who have varying levels of expertise on the designation process and the significance. So, I hope that we're not going to see a politicization by the Commission on the Forbes/Fifth Retail.

We asked them to follow the code of ordinances and give us an evaluation of

the individual structures. I believe strongly that a number of them are significant enough and warrant a protection especially in terms of the facade because basically that's what we're talking about in many of those structures.

So, I just hope we're not sending a bad message to the Commission. I would ask them to quit playing politics and, just towing the line in the Murphy Administration, do their job. Give us a proper quantitative, qualitative evaluation under the ordinance.

So, I'll defer to their wisdom and vote aye today.

The Chair:

So, you're saying we don't need a Plan B out of the Commission for the Forbes/Fifth.

Any further discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

The bills have received the legally required number of votes and have passed finally.

BILL NO. 1961:

AYES:

Mr. Udin

NOES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES **One** **NOES** **Eight**

The Bill not having received two-thirds of the majority vote, was defeated.

MS. MCDONALD PRESENTED:

Bill No. 2326:

Report of the Committee on Housing, Economic Development and Promotion for November 24, 1999, transmitting sundry of resolutions to Council

Which was read, received and filed.

Also, with an affirmation recommendation.

Bill No. 2092:

Resolution adopting the North Shore East/River Avenue Tax Incremental Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh, and making certain findings. ---

(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 2093:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the financing, monitoring, implementing and terminating of the North Shore East/River Avenue Tax Incremental Financing District. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 2273:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh ("Authority") providing for the transfer of \$250,000 from the Authority to the City to pay part of the cost of a retaining wall on Dakota Street (Council District No. 6). (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 2274:

Resolution approving execution of a Contract for Disposition by Sale of Land

by and between the Urban Redevelopment Authority of Pittsburgh and Stephen Gombas, or an entity to be formed, for the sale of Disposition Parcel 2 in the 15th Ward of the City of Pittsburgh, in Redevelopment Area No. 40, Block 56F Lots 118, 120, 121 & 122 -- 4901-4909 Second Avenue -- Council District No. 5 (commercial construction). (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 2129:

Resolution amending Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277 effective May 3, 1994, by Resolution No. 949 of 1995, by Resolution No. 819, by Resolution No. 958 of 1996, by Resolution No. 249, No. 501 and No. 666 of 1997, and by Resolution No. 414 of 1998 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Block Grant Program" transferring funds from a project in the Department of Parks and Recreation (School Outreach Program) and create a line item in the City Clerk's Office Modernization (AS AMENDED) (SPONSORED BY MR. COHEN, MR. DIVEN, MR. FERLO, MR. HERTZBERG, MS. MCDONALD, MR. O'CONNOR, MR. RICCIARDI AND MR. UDIN.)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None
(Mr. Ferlo voted no on Bill 2092 and 2093; Mr. Ricciardi voted no on Bill 2092)

The bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 2327:

Report of the Committee on Lands, Buildings and Procurement for November 24, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2266:

Resolution amending Resolution #997 effective January 1, 1996 providing for the leasing of a space located at 430 Cathedral Street, Pittsburgh, PA 15210, in the 16th Ward, from the lessor, St. John Vianney Parish, 823 Climax Street, Pittsburgh, PA 15210 for the purpose of establishing a Community Oriented Police mini-station, effective October 1, 1999 and renewable annually, at a cost to the City of not more than \$70.00 per month to off-set the cost of utilities.

Which was read.

Also,

Bill No. 2267:

Resolution providing for the leasing of property and building located at 930 Saw Mill Run Boulevard, Pittsburgh, PA, in the 20th Ward, from the Department of Transportation, State of Pennsylvania, owner, for the purpose of establishing a Department of Public Works operational Sub Division, made effective November 15, 1999, at no cost to the City other than normal operational costs.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 2328:

Report of the Committee on Engineering and Construction for November 24, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2268:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in

connection with the investigation, design, construction and/or remediation for critical slope failures throughout the City; at a cost not to exceed \$135,000.00.

Which was read.

Also,

Bill No. 2269:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the Replacement of the Allegheny Park Pedestrian Footbridge; at a cost not to exceed \$210,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

MR. HERTZBERG PRESENTED:

No. 2329 WHEREAS, the Mount Washington Community Development Corporation is a community based organization of good standing which serves the interests of the citizens residing in the neighborhoods of Duquesne Heights and Mount Washington; and,

WHEREAS, the Mount Washington Community Development Corporation desires to operate certain small games of chance and/or conduct raffles to generate funds for programming to further its purpose.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes and declares the Mount Washington Community Development Corporation to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I want to remind everyone that tonight there is a meeting at 6:00 concerning the towing of vehicles. It will be cablecast here in Council. Also, there's a public hearing tomorrow at 2:00, a tax hearing for all citizen's concerns and participation in the budget. That will be at 2:00 tomorrow.

I would like to invite all Councilmembers and the public on Thursday night, 7:00 in Greenfield we will have a BIG Christmas Parade sponsored by the Business In Greenfield, better known as BIG, Greenfield Organization and myself. We will have Zambelli Fireworks, so not to be out done by any other Councilmembers. You're all invited, neighboring council and the whole city. It's a huge parade and it starts at 7:00 up at the Giant Eagle on Lower Murray and it goes all the way down Greenfield Avenue to St. Rosalia's. We have 4 bands and 32 floats. We're all lit up and ready to celebrate the holidays. So, I hope all of you can join us. We welcome all Councilmembers and their friends and family.

Mr. Hertzberg:

Thank you, Mr. President.

Unfortunately, I have to talk about something that's not as light, but it's a pretty serious situation in my Council District. Exactly two weeks today a life long resident of the Sheridan area and a life long resident of the city, 72 year old woman, by the name of Marian Jessop, was waiting to take a bus downtown at 6:00 in the morning. She goes to work everyday downtown. On this day, two weeks ago, she was attacked viciously and robbed. Right now she's still in Allegheny

General Hospital in critical condition. Among other things she suffered a fractured skull in the attack.

The family has been working with Commander Freeman at the Homicide Department to try to find some ways of getting witnesses. They posted every telephone pole in the vicinity where this happened which is Middletown Road, a very nice part of Council District 2. They posted a reward of \$1,300.00. I've agreed to up that by \$1,200.00 so that it's \$2,500.00. Commander Freeman thinks that a reward may be an effective way to get some witnesses to come forward.

The location of the attack is one of the busiest intersections in Council District 2; it's Middletown Road and Berry Street. It's a very heavily used couple of streets. So, we're hoping there are witnesses out there that may come forward. Hopefully the reward will have some impact.

Right now, it's up to \$2,500.00. I circulated a memo, I think, to everybody asking if they want to participate. The family would appreciate it and I would appreciate it. There's obviously someone out on the streets right now that would engage in an act on a frail senior citizen like this that we need to find and get them off the streets.

The Chair:

What was the date of that in case anybody was driving that morning?

Mr. Hertzberg:

This occurred on November 16, 1999. It was two weeks ago, on Middletown Road at the intersection with Berry Street at the bus stop.

If anyone has any information, they should call Commander Freeman at 665-4050. The reward is offered to anyone that has information that leads to the arrest and conviction of the person responsible for the crime.

The Chair:

Any further discussion?

Can I have a motion to approve the minutes?

MR. FERLO moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MR. COHEN moved to adjourn the meeting.

MR. FERLO seconded the motion.

And, on the motion made by Councilman Cohen, the meeting was adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, December 7, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a very special guest, Michael Waligorski who's 13 years old. He's a 7th grader at Prince of Peace School. He's accompanied by his mother Paula. He lives in Councilman Ricciardi's district.

Michael Waligorski:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

Michael, we have a gift for you.

We have some very special guests in the audience today.

Mr. Cohen:

I'm happy to co-sponsor this resolution with Councilman Sala Udin. So, if he could join us as well.

We'd like to celebrate WDUQ's first 50 years. So, if they could come up, please.

We have here Scott Hanley who's the General Manager of WDUQ. It's hard to believe that you've been in operation now for 50 years. WDUQ really is a tremendous, not only radio station but also does a tremendous community service in covering community events in the City of Pittsburgh.

It started, I understand, as a student laboratory for radio at Duquesne University. It's really flourished certainly over the last 50 years and, particularly,

over the last 20 or so years. It's a volunteer supported radio station.

I'm sure many of you enjoy programs such as, I happen to like, Car Talk and You Don't Say and All Things Considered and many other programs that are on WDUQ. So, with that, let me read this proclamation and have Councilman Udin in who's district WDUQ resides say a few words and then we'll have you come up.

PRESENTATIONS

MR. COHEN PRESENTS:

No. 2330 WHEREAS, on Thursday, December 15, 1949, WDUQ began broadcasting from the Duquesne University campus, becoming Pittsburgh's first public radio station; and

WHEREAS, WDUQ began as a student laboratory, exposing students to new technology and providing local audiences with cultural programs and information; and

WHEREAS, over the past fifty years, many professional broadcasters and journalists got their start while a student at WDUQ and this tradition continues today as student interns work with professional staff in various areas of programming, operations and administration; and

WHEREAS, today WDUQ 90.5 FM is a member-supported radio station still broadcasting from Duquesne University with programming from National Public Radio (NPR), Public Radio International (PRI) as well as local news, public affairs and jazz; and

WHEREAS, for the past fifty years WDUQ's mission has been to serve listeners and the community with programming and services designed to inform, educate and entertain.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate WDUQ 90.5 FM on their 50th Anniversary and proclaims Wednesday, December 15, 1999 as "WDUQ Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

Congratulations.

Before we give this to you officially, let's have Councilman Udin come up, please.

Mr. Udin:

Thank you.

I want to thank Councilman Cohen for acknowledging a half-century of service of a very important institution. There are not many radio stations left like WDUQ. At one time, there was a proliferation of more public service radio, university based radio and member supported radio. It's a very important voice.

Radio and media that are driven by corporate sponsorship are not as free and

independent as member supported radio, which is more able to have a diversity of programming. It services a very, very important function in the public debate, not to mention the important role that they have in helping to keep jazz alive in a city like Pittsburgh where jazz is so much a part of our heritage.

I thank WDUQ for that as well as the Anderson Little's Report, Car Talk and so many different programs that are scheduled on WDUQ. I hope that you will survive and grow and be with us for another 50 years and I hope to be here then to give you a centennial proclamation.

Mr. Hanley:

Mr. President, Councilman Cohen, Councilman Udin and members of Council, thank you very much for this honor.

It was 50 years ago that visionary leaders flipped the switch for WDUQ and started the noble experiment of public service broadcasting in Pittsburgh. Over that time, we've grown and developed. We saw the founding of the corporation for public broadcasting of national public radio.

While WDUQ became the voice of NPR in Pittsburgh, something else happened over that time, too. We became a voice of Pittsburgh on national public radio telling the stories of conflict, change of growth and development and, of course, of the great legacy of jazz in Pittsburgh.

So, on behalf of our hundreds of people who pass through the doors of WDUQ as volunteers, as students and as staff members, of our thousands of

listeners, of our supporters, and, of course, everyone else who will find us in the future, we truly appreciate this honor.

Again, as 50 years is only a first milestone, we invite you to stay with us for another 50 years. We believe for WDUQ and for Pittsburgh, the best is yet to come.

Thank you.

The Chair:

Will the Marines please come up and Lane Maggio from the Post Gazette Good Fellows?

We have Lane Maggio who is with the Post Gazette Good Fellows and Gunny Noble and Gunny Grant with the US Marine Corps Reserve Toys for Tots. It's certainly an honor to have you here.

I've been involved with Toys for Tots for many years and see firsthand the good work you do. I don't think there's any better Christmas than when you go out and really help deliver. I've collected, but when you really get a feel for Christmas is when you take it to somebody who's in need house and you see on Christmas Eve that those four or five toys they get are really appreciated and the only things they will receive.

So, I want to thank you on behalf of, not only everyone from Pittsburgh, but Western Pennsylvania for what you do for so many children.

**MR. O'CONNOR AND ALL
COUNCIL MEMBERS PRESENT:**

No. 2331 WHEREAS, the United States Marine Corps Reserve Toys for

Tots and the Post-Gazette Goodfellows Campaigns have collaborated for the 1999 holiday season because "every child deserves a little Christmas; and,

WHEREAS, Toys for Tots and Goodfellows have set as their goal this Christmas to surpass the 1998 collection of 105,000 toys and exceed 150,000 donations for needy children in the Greater Pittsburgh area; and,

WHEREAS, Toys for Tots and Goodfellows campaigns depend upon the volunteers and donors who have helped to make Christmas memorable for families in the area for over fifty years; and,

WHEREAS, in many communities, United States Marine Corps Reservists, Goodfellows volunteers and good Samaritans throughout the area can be found hard at work until late on Christmas eve when they conclude their annual campaign and return home to their families.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby urge its citizens to participate in the Toys for Tots /Goodfellows program; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby extend to the U.S. Marine Corps Reserve and the Post-Gazette Goodfellows program its best wishes and heartfelt appreciation for its service to our country and dedication to less fortunate children and their families.

MR. UDIN moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

This is the first year you've teamed up, I understand. Lane, do you want to come up first?

Ms. Maggio:

Good morning and thank you.

My name is Lane Maggio. I'm here representing the publishing family of the Pittsburgh Post Gazette.

For 50 years, we have worked to provide toys for families who do not, necessarily, have the means to do so themselves. We decided early this year to get together, leverage our collective resources and provide a pool of volunteers and committed community servants by working with the Marine Corps.

So, it's my pleasure and our distinct pleasure to be associated with the program.

Thank you.

Mr. Noble:

The first thing I'd like to say is thank you very much to the City of Pittsburgh, all the Councilman here and Mr. O'Connor. I'd like to recognize him very much. Thank you so much for helping us out.

This is a real good program. It gives children toys. We're still not there at our goal, at 150,000 as he was saying. We need all the help we can get. Our phone number down at the Warehouse, I'll

mention that first. If you want to volunteer or if you want to do anything for us, it's 412-678-0921 or you can just push 411 and ask for Toys for Tots and they'll give you the number. Anything you can do to help, you can drop off at any Advance Auto, they're in team with us or any Dollar Bank. What are some of the other ones Gunny Grant?

Mr. Grant:

Rite Aid.

Mr. Noble:

Rite Aid there, too; they're helping us out. So, there's a lot of drop-offs. Anywhere you see a collection box you can certainly help us out by either giving a monetary support or new unwrapped toy.

The only thing I have so say is thank you very much for helping us and every child deserves a little Christmas. And, the US Post Office. I can't remember everybody, but they're all helping us out here.

Thank you very much.

Mr. Grant:

I also want to take the time to thank the City Council, Mr. O'Connor any everything for this opportunity for the Toys for Tots Program.

I was the coordinator last year and I really enjoyed the support I received from the community. If it wasn't for the caring corporation and organizations and donating from the people of the City, our program would not be very successful at all.

So, once again, thank you very much. I appreciate all the support and help.

The Chair:

We have one to be read into the record.

MR. RICCIARDI AND ALL COUNCIL MEMBER PRESENT:

No. 2332 Whereas, Joseph D'Andrea emigrated to the United States from war-torn Italy in 1947; and,

Whereas, Mr. D'Andrea was nominated to the post of Honorary Vice Consul on January 26, 1983, and elevated to Consul in 1996; and,

Whereas, Consul D'Andrea defended the Italian name and Italian-Americans from prejudice and adversity; and,

Whereas, Consul D'Andrea aided fellow Italian-Americans in their hopes of retaining their Italian heritage, pride and sense of community while becoming accustomed to their new American way of life; and,

Whereas, Consul D'Andrea hosted Italian delegations in Pittsburgh, aided in the development of the Italian Collection at the John Heinz Center as a member of the Historical Society of Western Pennsylvania and founded the Italian Heritage Society to name only a few of his many accomplishments; and,

Whereas, the Consul's time, services and achievements were not

limited to the City of Pittsburgh, but reached all of Western Pennsylvania; and,

Whereas, Consul D'Andrea retired from his post, as required by Italian law, on Friday, November 19, 1999;

Now, therefore, be it resolved that the Council of the City of Pittsburgh commends the time and effort of Joseph D'Andrea as Consul of Italy, and extends their best wishes for a happy retirement.

Be it further resolved that in the City of Pittsburgh, Sunday, December 5, 1999 will be known as Joseph D'Andrea Day.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will move to public comments. Anyone wishing to address Council please step to the podium, give your name and address for the record and you have three minutes.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

I was saddened to here that Thomas Crune died. We worked together in the (inaudible) Program or the LEAP

Program. I was told that he was recently promoted to the Income Maintenance Caseworker for the State. To the family and friends, he will surely be missed.

Mr. O'Connor, I wish to thank you for you considering our school children by granting them the honor of bringing them up to the front last week. I thank you for your compassion in considering our children.

I was pleased to witness Mark Brentley and Bill Isler being sworn in to the Pittsburgh Public School System as Board Members. It made me think back to the time when I witnessed Kathleen A. Mulligan being sworn in as a judge.

I come today and I don't have anything really written because I've come today to speak to Mayor Murphy.

Mayor Murphy, the community is in a dilemma. The parents are concerned. We are told that because, I think it may be a law or misinterpretation of a law, where it says that a city employee cannot run for elected office. We think it's a misinterpretation because Mark Brentley was a city employee, but he will not be paid; that's a volunteer position.

What the citizens are concerned about, and maybe one of you will answer today, is how could Mr. Onorato, a city employee, run for a paid office? He was paid here, \$47,000.00 as City Councilman and he still ran for another office. He was elected and he can run. There seems to be a double standard. We think that it is possibly a mistake.

Mayor Murphy, I know that there are times when I come to you and I

question you about our supermarket because I am concerned. But, if you could put that all aside and think about what we, as parents, are asking you to do. We're asking you to straighten up a law. If that's a law, that's a bad law and it needs to be changed.

I would like to thank the Councilman and Councilwoman, but especially Mr. O'Connor, I was very glad to see you there. That shows that you do, it's not the other ones, you are in the community quite a bit and you do seem to care about the children. You may not care about what I come to say about Chief Fadzen, but you do truly care about our children.

We're asking that parents, you call Mayor Murphy at 255-2626 and let him know that if this is such a law or this interpretation, it must be changed. Mark Brentley must be given a chance.

Thank you.

Ms. Browder:

I am Marsha Browder. I reside at 329 Robinson Street.

Being that I'm speaking to the backs of the Council, I'll assume that I'm speaking to the public more so.

The first thing I have to say is I feel that any laws that are made to do another harm, the one who makes the also is doing themselves harm whether they see it now or not. After all, the Constitution can help anybody in this country who walks in this country. The laws were made because they know it's going to affect their children, also. They did it for good.

That's why anyone can walk in this country and get justice because the people who made it knew it would affect their children.

Now, we have laws being made that people believe will not harm them or will not harm their children, which is also a nil and void. After all, anything you do in this country is going to affect you sooner or later. If you make a law to kill another kid, it's going to kill your kid sooner or later. It will not be today, but it will be tomorrow.

That's why we have so many problems at schools because decides to say, it will not reach my child. But, now that it's reaching your children in mega doses, you wonder why and it's because you did not stop it before it got off that level. It may hit the first floor at my children, but it will get to that tenth floor and hit your other.

I also want to speak concerning Councilman Udin. I heard that he had received an award. May God help him. I want another side to be shown of Councilman Udin that the world does not see and that's why I'm here.

I cannot talk to Councilman Udin. He hangs up the phone or sends me somewhere else. I feel that to get any type of justice I have to come here. Even Councilman O'Connor's office will tell him, I was told to call you. I called you about the food bank. He has no concern about those who elected him only those who can give you personal gain. If you sell your birthright for a position of power, sooner or later you're going to fall, okay.

I'm here also with concern about public housing. I want to know at any time can someone give me the printout, the laws that this here Hope VI thing here has been done. I don't understand it. I just found out today that the management office is gone, there's no one I can talk to. I found out that one address is just a high rise that you send your money to and the other address is to, I can't think of it. They're gone, they're all gone. There's no management in my district. Even the people who are supposed to clean or come in and maintenance your apartment, they're gone.

I feel that there's deception, there's something wrong. When someone deceives you, I don't care how you slice it, something's wrong and some evil is being done against you. When they're slipping out the back door and they're talking to the public and saying we're in the front door, something's definitely wrong, something's not right. I feel that me, as a person, and my children, we have a right to have good and safe homes like anyone else. When someone comes and grabs you at home while you are sleeping and say, no, you still have your home and give you air, something's wrong.

So, I want to know if there's anyway, any papers that I can't get. I may not be the wisest, but with God's grace, I don't have to be the dumbest. I can be able to read and find out where the violations are. There has to be violations in this Hope VI for someone to keep going through the back door. I ask for that to be done that I may help my children. I need to help them.

Some people have money and they can help themselves. Some people have

positions and they can help themselves. Some people have the right skin color and they can get help. But, me, I have the grace of God.

So, I want to know if there's someone that I can get, so I can read every printout, every law that they use to build this stuff on this public housing property. I know the laws that they had to go by. But, they keep going in the back door and I want to make sure they come out the front door. I may not dress right, but believe me, my wisdom could surpass many.

Now, I want to know before I leave here --

The Chair:

Thank you.

Please summarize.

Ms. Browder:

Before I leave here, I want to know how can I get the printouts, the rights that the city had to build these here, so-called, low income housing, which isn't, to do this here.

The Chair:

We'll get you the number of Stanley Lowe, he's in charge of that.

Mr. Browder:

Stanley Lowe is a waste of time. He will not do that that's why I'm here.

The Chair:

Please summarize.

Ms. Browder:

Stanley Lowe is a black man. He does not help his people, okay. What I'm asking you is how can I, as a citizen, -- remember this, if you push me aside, it will come in the back door to you all.

The Chair:

Thank you.

Next speaker. Are there any other speakers?

Ms. Browder:

So, you're telling me you're not giving me that answer?

The Chair:

We'll give you the number to Stanley Lowe.

Ms. Browder:

Stanley Lowe is Housing Authority, are you understanding me. Housing Authority is Stanley Lowe.

The Chair:

Again, I'm not going to debate you.

Ms. Browder:

What about Mayor Murphy? Mayor Murphy had a heck of a lot to do with it.

The Chair:

We'll, give you the Mayor's number. He's right across the hall.

Ms. Browder:

So, you're saying that City Council has nothing to do with what's going on? That's all I'm asking you.

The Chair:

I don't have the answer for you.

Ms. Browder:

City Council has nothing to do with this?

The Chair:

This is not a debate.

Ms. Browder:

I'm asking you a question.

The Chair:

I gave you an answer.

Ms. Browder:

So, you're doing what Councilman Udin does? Go and sit on your behind and I don't give a damn, is that it?

The Chair:

Next speaker, please.

Please give your name and address for the record.

Mr. Witkowski:

Good morning ladies and gentlemen.

My name is Edward T. Witkowski. I reside at 3106 Hemlock Drive.

My father and I would like to thank all Councilmembers who voted in favor to compensate my father's judgment. I would also like to clear up a few statements.

Number one, on 9/22/99, Mr. Ferlo you made the statement that Mr. Surpa (Phonetic), Mr. Booker, Mr. Freyermuth and Mr. Elenbogan (Phonetic) have not worked for the Public Works Department for five or six years. As you know, Mr. Ferlo, Mr. Booker was present at the Executive Council Meeting so he is still employed with the Public Works Department. Mr. Freyermuth and Mr. Elenbogan left the Public Works Department only three years ago and still remain employees of the City of Pittsburgh.

Number two, Mr. Ferlo, you suggested that all parties meet and City Council have an executive session with all individuals involved to hear their side of the story. Councilman Ricciardi then stated that he asked me to meet with Mr. Spector, but I was not given the opportunity to meet with Mr. Spector or with any of the other parties involved. Now, Mr. Spector and the Law Department will recommend that the Mayor veto making payment on this judgment.

Number three, Mr. Ferlo, you accused my parents of not being upfront and trying to pull an end run with city workers and the Public Works Department by not informing them of a penalty law suit when my parents applied for the encroachment. As a matter of fact, all

parties involved knew of the pending law suit plus Brian Gabriel, Attorney for the City, was to represent the City of Pittsburgh at a court hearing, but the hearing was delayed.

So, how can anyone say the Public Works Department and the Law Department did not know about the pending lawsuit?

Number four, Mr. Spector stated at last week's Council meeting that we had every opportunity to present our side of the story at the Council hearing. Unfortunately, our legal representation was inadequate and we were not permitted to introduce any information during the hearing.

Thank you very much.

The Chair:

Are there any other speakers?

Hearing none, we'll move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 2333 Resolution authorizing the transfer of Seven Hundred Thirty Thousand Two Hundred Sixty Five Dollars and Fourteen Cents (\$730,265.14) from the Bureau of Police to the Law Department. --- (PRESENTED BY MR. DIVEN)

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 2334 Resolution amending Resolution No. 637, approved July 27, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "E".

No. 2335 Resolution amending Resolution No. 637, approved July 23, 1986 entitled "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "G".

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 2336 Resolution authorizing the use of \$10 million from the City's Operating Reserve Fund in connection with the proposed Neighborhood Needs Program as presented in the 2000 Capital Budget.

No. 2337 Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, at a cost not to exceed \$50,000.00.

No. 2338 Resolution authorizing the City Controller to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the purchase of equipment in an amount not to exceed Fifteen Thousand Dollars \$15,000.00.

No. 2339 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 2340 Resolution authorizing the City of Pittsburgh to enter into a lease agreement, not to exceed thirty (30) years), with Mon Valley Petroleum, Inc., a corporation organized and existing under the laws of the State of Pennsylvania, with offices at 5155 W. Smithfield Street, McKeesport, PA 15135, for two vacant lots on Butler Street, 10th Ward, Block 121 H, Lots 35 and 36, and a portion of Ballard Way vacated by Resolution enacted July 8, 1998.

Which were severally read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to Unfinished Business. Is there any unfinished business to come in front of Council?

Hearing none, we will now move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2341:

Report of the Committee on Finance and Budget for December 1, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2059:

Resolution providing for the issuance of a warrant in the amount of \$14,591.22 in favor of Edward Wlodkowski, 2837 Sumner Street, Pittsburgh, PA 15203 for reimbursement of costs incurred from a private lawsuit resulting from an encroachment authorized by the City of Pittsburgh July 31, 1996. — (SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 2280:

Resolution authorizing the Mayor and Chief Magistrate to enter into an Agreement or Agreements with a check acceptance program.

Which was read.

Also,

Bill No. 2294:

Resolution providing for the issuance of a warrant in favor of the Pennsylvania Automobile Theft Prevention Authority in the amount of Sixty Thousand Six Hundred Twenty Three Dollars and Seventy Cents (\$60,623.70). (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 2303:

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 32nd Ward of the City of Pittsburgh, designated as Block 139 H, Lot 250, to the Port Authority of Allegheny County for the sum of \$5,700.00.

Which was read.

Also,

Bill No. 2304:

Resolution providing for an Agreement with City Source Associates for all necessary and incidental expenses incurred in the implementation of the "Side Yard Program" at a cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 2305:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Alonzo Mitchell & Joan Mitchell, his wife

PURCHASE PRICE: \$4,000.00

Four vacant lots being sold to adjoining property owners for residential housing development.

LOT: 24 X 94

LOCATION: 409 Grove Street

WARD: 5 BLOCK: 10 N LOT: 341

COUNCIL DISTRICT #6

(A) Continued

LOT: 24 X 94

LOCATION: 407 Grove Street

WARD: 5 BLOCK: 10 N LOT: 342

COUNCIL DISTRICT #6

(A) Continued

LOT: 24 X 55

LOCATION: 405 Grove Street

WARD: 5 BLOCK: 10 N LOT: 343

COUNCIL DISTRICT #6

(A) Continued

LOT: 24 X 39

LOCATION: 405 Grove Street (rear)

WARD: 5 BLOCK: 10 N LOT: 346

COUNCIL DISTRICT #6

(B) Timothy C. Fisher & Lorena, his wife

PURCHASE PRICE: \$500.00

Two story brick house requiring rehabilitation.

LOT: 13.88 X 73

LOCATION: 7103 Idlewild Street

WARD: 13 BLOCK: 174 E LOT: 198

COUNCIL DISTRICT #9

(C) Kenneth E. Arnold

PURCHASE PRICE: \$1,000.00

Vacant lot being sold to property owner in the neighborhood who wishes to clean up lot and provide a safe play area for neighborhood children.

LOT: 60 X 100

LOCATION: 1022 Sharon Street

WARD: 17 BLOCK: 14 C LOT: 322

COUNCIL DISTRICT #3

(D) David B. & Virginia Allen, H/W

PURCHASE PRICE: \$1,000.00

Two vacant lots being sold to property owners across the street for off street parking and additional yard space.

LOT: 51.36 X 50 X 72.05

LOCATION: 1421 Cape May Avenue

WARD: 19 BLOCK: 35 G LOT: 282

COUNCIL DISTRICT #4

(D) Continued

LOT: 25 X 77.69 X 40 ft.

LOCATION: 1419 Hampshire Avenue

WARD: 19 BLOCK: 35 G LOT: 280

COUNCIL DISTRICT #4

(E) Craig Melichar & Michael Masciantonio, Joint Tenants

PURCHASE PRICE: \$2,000.00

Vacant lot being sold to adjoining property owners for driveway access to their property.

LOT: 210.19 X 98 + or -

LOCATION: 2400 Irwin Avenue

WARD: 26 BLOCK: 45 H LOT: 204

COUNCIL DISTRICT #1

(F) Barto Cabbagestalk & Yvonne Cabbagestalk, his wife

PURCHASE PRICE: \$500.00

Vacant lot being sold to property owners in neighborhood for additional yard space.

LOT: 25 X 100

LOCATION: 122-124 Charles Street

WARD: 30 BLOCK: 14 L LOT: 216

COUNCIL DISTRICT #3

Which was read.

Also,

Bill No. 2306:

Resolution providing for an Agreement or Agreements with Municipal Code Corporation for professional services in connection with the codification of Ordinances enacted by the City into the Pittsburgh Code, at a cost not to exceed \$15,000.00. —(SPONSORED BY MR. O'CONNOR)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor

AYES Nine NOES None

(On Bill 2059, Mr. Ferlo voted no and Mr. O'Connor abstained)

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2342:

Report of the Committee on Public Works and Environmental Services for December 1, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2300:

Resolution Granting unto East Allegheny Community Council, 415 East Ohio Street, Pittsburgh, Pennsylvania 15212, their successors and assigns, enter into an agreement on terms and conditions approved by the City Solicitor to construct, maintain and use at their own cost and expense, geothermal heating and cooling distribution lines on portions of the right-of-ways of Moravian Way, Cedar Avenue,

James, Foreland and Suismon Streets and granting unto the East Allegheny Community Council an easement in accordance with the attached Easement Agreement in the 23rd Ward, 1st Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now reading for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

The bill has received the legally required number of votes and has passed finally.

MR. ONORATO PRESENTED:

Bill No. 2343:

Report of the Committee on Planning, Zoning and Land Use for December 1, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2302:

Resolution Amending Resolution No. 1101, approved December 14, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the East Allegheny community pursuant to Pittsburgh Code, Chapter 549" so as to increase the days of enforcement and limit the number of consecutive weekdays a visitors' pass can be used in Area "F".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now reading for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
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Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Onorato
Mr. Ricciardi Mr. Udin
 Mr. O'Connor
 (Pres't)

AYES Nine NOES None

The bill has received the legally required number of votes and has passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2344:

Report of the Committee on Housing, Economic Development and Promotion for December 1, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2301:

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin L. and Pamela Sheffield for the Sale of Block 14-E Lot 65 in the 18th Ward of the City of Pittsburgh (Council District No. 3 - 304 Beltzhoover Avenue - Parking), purchase price of \$1,000.00. (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Onorato
Mr. Ricciardi Mr. Udin
 Mr. O'Connor
 (Pres't)

AYES Nine NOES None

The bill has received the legally required number of votes and has passed finally.

MR. DIVEN PRESENTED:

Bill No. 2345:

Report of the Committee on Public Safety Services for December 1, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2295:

Resolution Providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase

of equipment for the Bureau of Police at a cost not to exceed \$29,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bill has received the legally required number of votes and has passed finally.

MR. FERLO PRESENTED:

Report of the Committee on Engineering and Construction for December 1, 1999, transmitting three resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2296:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Dakota Street Wall; at a cost not to exceed \$500,000.00.

Which was read.

Also,

Bill No. 2297:

Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing "Wall, Step and Fence" line item by \$250,000.00, from \$250,000.00 to \$500,000.00.

Which was read.

Also,

Bill No. 2298:

Resolution providing for a three-party cooperation, reimbursement, and maintenance agreement by and among the City of Pittsburgh, the Sports and Exhibition Authority of Pittsburgh and Allegheny County (S.E.A.P.A.C.), and the Pennsylvania Department of Transportation, in connection with the North Shore infrastructure improvements.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS**Mr. Udin:**

Thank you, Mr. President.

I want to speak on the issue of the proposed closing of the Ft. Duquesne Boulevard and entrance to the bridge.

First of all, I want to express my grief, I guess, that this whole thing has become such a public relations nightmare

and that, in large measure, it could have been avoided if there had been some communication. I can't say better communication because there was no communication not even to this Councilman from the Administration concerning the proposal to close the bridge in all lanes in order to accelerate construction.

I think it was also unfortunate and unfair to trot Fred Reginella out as the Public Relations Spokesman for the Administration. He's a fine engineer, but this is not an engineering question, it's a policy question. I think the Mayor should have come forward and made his case to the public rather than putting that kind of pressure on Mr. Reginella.

However, if you could indulge me to few minutes to just state some of the factual information about what's going on. This is a \$13.5 million dollar project that is being funded mostly by funds from the Federal Highway Administration but also with funds from the Water and Sewer Authority as well as the Sports and Exposition Authority, so-called, Plan B.

The goal of the project is to renovate Ft. Duquesne Boulevard and also to move the west bound lane of Ft. Duquesne Boulevard away from the river. Part of the purpose of that is to renovate the Boulevard, but also the purpose is to accommodate the completion of the park along Ft. Duquesne and also to facilitate the building of the extension of the Convention Center, an underpass that will go under the Convention Center to connect the 10th Street bypass.

The construction is to extend from Stanwix Street to Ninth Street. The original timeframe on the construction was

to begin in 1999 so that they would have enough time to spread the construction schedule out so as to not cause undue hardship on the public and to also be ready for the opening of the new facilities, the Convention Center and the ball parks.

Because of several administrative delays, management delays, unfortunate delays, the project did not get started in 1999. Now, in order to complete the project in time for the opening of the facilities, the public is being asked to endure complete closure of the Ft. Duquesne Boulevard. The public has not been informed of how long complete closure will have to last or would be proposed to last and what the alternative routes are. We are not certain that they have anticipated what ancillary traffic problems will happen from the complete closure of Ft. Duquesne Boulevard. All of those questions are unknown to me, as a City Councilman, I think they're unknown to the public, and I think they're unknown to the business people downtown who will be impacted and affected by this construction.

Council has already approved our part of the authorization to go forward with this construction plan. So, Council has no legal authority to control the construction schedule itself or to determine whether or not all lanes will be closed or some lanes will be closed. That certainly is admittedly the Administration's prerogative, the Mayor's prerogative.

But, I think Council does have the obligation to facilitate public discussion and public information and to try to call upon the Administration to consider all of the facts and the burden that would be

placed on the public if this closure is proposed.

So, in that capacity, as the Council representative for downtown where this construction will happen, I want to move for a televised post-agenda to which we can invite the Administration, these Sports and Exposition Authority, the Cultural Trust Representatives, and anyone else who we think could help to illuminate all the issues and concerns, perhaps PennDot representatives as well. They are the agency that will actually handle the federal funding for this project. So that we can make sure that the public is fully informed and, perhaps, if an alternative schedule can be devised that we can call upon the Mayor's Office to consider. Perhaps some alternatives to the full closure of the Ft. Duquesne Boulevard.

Thank you.

Mr. Ferlo:

As Chairman of Engineering and Construction, I am very concerned and absolutely distressed and dishardened at my colleagues' comments and issues that he's raising here today. I don't know why we should have any notion that this Council should have any info or be notified of anything to do once our benevolent monarch decides that something needs to get done. I don't know why my colleague is so distressed. Why would Council be notified or have any opinion on a city policy issue. I don't know where that notion comes from. I'm just totally distressed at his comments.

We live in a monarchy, when the king wakes up in the morning, having had breakfast with Mr. McClatchy, he wants it

done and he wants it done yesterday. Just like any other little kid. So, I'm very upset that my colleague would speak out at this time and suggest that we should be notified or the adjoining property owners and office buildings should be notified or that there are also competing interest involving vehicular and pedestrian traffic. It's so distressing.

Mr. Udin:

I'm just naive.

Mr. Ferlo:

But, I'm sure we'll reward everybody with pay increases like raising all the salaries of our directors and giving the Mayor yet more money and more willpower with the demolition of Forbes/Fifth and everything else that he seems to want to do in the City.

The Chair:

Mr. Udin, I certainly support your post-agenda. Also, we've had a call for a public hearing. Would you suggest a post-agenda first and, if need be, possibly a public hearing?

Mr. Udin:

Yes.

But, I think we ought to do it as quickly in the New Year as possible because we don't want to repeat the apparent, never ending construction saga that's going on on Wood Street. There is some validity to that. Some people think that will never end. We do need to get in and get out of there. We need to minimize impact on the public. I think we can begin with the post-agenda to establish the

factual basis and, then, if we need a public hearing to go forward with it.

That's a motion for a televised post-agenda.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

We'll schedule that as soon as we can.

Mr. Ferlo:

Can they please tell us the cost estimates on keeping lanes opened and working 24 hours with lights like PennDot does, please.

The Chair:

There are many other alternatives. Again, without getting too -- it is very disappointing. I believe we had some promises to work closer together with Council. To close a major road without the Councilperson knowing or Engineering and Construction, I'm very, very disappointed. I will meet with the Mayor again. Hopefully, we can start the New Year on a much better foot.

Ms. McDonald:

The Corporate Collection, the donations have been very small. I'm just asking for the City of Pittsburgh, Allegheny County, whoever works in this vicinity who could really make a sizable donation to people who are coming off of welfare, to people who are trying to get back into the workforce, women and men,

to please donate your clothing. We're talking about only business attire, not leisure stuff, not shorts and tops. We're talking about things that can be worn to work. That's anything, from belts and jewelry to suits and shirts, whatever you have. If you have stockings that are still in the package that have never been open, donate them especially if you can't get in them.

There are two bins. We're trying to obtain boxes. Right now, we're using these god awful looking bins, but they're there. There's no trash in them. They are there for you to throw your bags of cloths in. We are collecting them on a regular basis. So, please, we have until December 21st.

I would hope that all of us would, at least, donate one suit, one item, just something that you have that you know dog on well that you had it to wear to work and you're not going to wear it anymore and it's in decent shape. We're talking gently worn. We don't want raggedy stuff in here either. So, just gently worn business attire.

Please, every employee, if you care about people and you cry and moan about your taxes and what have you and how other people are taking up your taxes because they can't work, well they're trying to get to work. You can help by, at least, donating one article of clothing to help them to get to work.

So, every employee in this area, every employee really should donate just one article of clothing and preferably more than that. Put it in a bag and throw it in a bin. Hopefully, within a day or so we will have actual boxes there that will be more

noticeable for you to donate your working, business attire.

So, please, I urge everyone. It's the holiday season so let's give back to those who really need a leg up.

MR. HERTZBERG PRESENTS:

No. 2347 WHEREAS, the Mayor appointed Guy Costa as Acting Director of the Department of Public Works effective September 4, 1999 (see attached letter from Tom Murphy, Mayor to Tom Flaherty Controller); and

WHEREAS, Guy Costa has served continuously as the Acting Director of the Department of Public Works from September 4, 1999 to the present date; and

WHEREAS, December 2, 1999 was the 90th day Mr. Costa served as the Acting Director of Public Works;

WHEREAS, Pittsburgh Code §111.01 (f) prohibits any person from serving as an Acting Director of the Department "for more than 90 days without being subject to confirmation by Council...."

NOW, THEREFORE, BE IT RESOLVED that Guy Costa is hereby confirmed as the Director of the Department of Public Works.

MR. HERTZBERG moved to approve the motion.

MR. FERLO seconded the motion for discussion.

Which motion prevailed.

Mr. Hertzberg:

I think we all remember the genesis for the section of the Pittsburgh Code, Section 111.01F, which has a 90 day limit for someone serving as an acting director at which time they can be subject to Council's conformation. That occurred for over a year with the fire chief position.

We kept being told that certain things were going on and the time kept dragging on and on. Mr. Ferlo, properly, proposed an amendment to the City Code that addressed the problem. He had sufficient votes; it passed, I think it was vetoed. I think even before it was vetoed, we were required to give it a 90 day study period by the Mayor's Office since it was a major change in the department.

Anyway, the law is in place and it's there for a reason. We have Mr. Guy Costa who is now serving as the Acting Director for the Department of Public Works. He's now been there over 90 days. I'm the Chairman of City Council's Public Works Committee. I believe it's in the best interest of the Department of Public Works that he be made the real director in the department.

It's a department where I think, unfortunately, a lot of the people that are out there doing work for us have some low morale and they have it for a lot of reasons. If you've watched any of the news reports recently, in the last six months to a year, you probably caught, at least, three shows, if not more, in which Public Works employees, at varying levels, were captured on camera doing inappropriate things. In a lot of cases, not working. So, it's a department that's in

very much need of direction. Today, we're in the middle of winter.

We have an acting director of a department that I think is in great need of direction for someone to take control, but we have an acting director. We have facing us a winter which no one knows what it will be. We know how difficult last winter was at the beginning, we need to have someone in charge.

With Mr. Costa, I think we know what we're getting. He's impressed me. I think he's one of the most able administrators and directors that we could ever ask for. He's very much needed in this department. This is a department that needs someone like this and we need him right now. So, that's why I'm putting this resolution through.

I realize it would have been better coming from the Mayor. I wish it would have come, but it didn't come. But, the oath that I swore to when I took this position was to uphold the laws and do the best thing that I can for the residents of this city. In my belief, my good faith belief, this is the best thing to do.

So, I put forward Mr. Costa's name to Council to be confirmed as the Director of the Department of Public Works.

Mr. Ferlo:

I think all of Council, including myself, have spoken in the past about how strongly we feel about Director Costa in terms of his competency, administrative acumen and the fact that we think he's going to be a great Public Works director. So, I have no problem in supporting the resolution. But, as a practical matter and

as a procedural matter, I would strongly suggest or ask or request that we meet in executive session.

I am, at least, formally unclear. I don't know that this Council was ever clearly communicated to as to what the legal status is of the prior director. Unlike the fire chief situation where there was no fire chief, there was a vacancy, an individual was acting and I think our governmental amendment was clear about the vacancy needing to be filled after a 90 day period. I'm unclear as to what the legal status is of an employee that was formally the director. I'm hesitant to act in final form today until I know what is that status and is there a legal reason why -- I don't know if that person is on disability compensation, work leave. It would be hard for me to understand how we can fill the position formally, although, obviously, I'm very supportive, until we know what actually is the situation involving another employee. I don't want to leave us open to an employee cause of action against this Council.

I would strongly ask that Mr. Hertzberg support, at least, meeting in an executive session on this issue. Then, come back on the floor and debate the issue of the actual resolution.

Maybe he can respond in some way. But, I am concerned about how we can -- I see a major difference between the fire chief situation and the situation we have now. I don't want to lose an employee lawsuit against us.

Mr. Ricciardi:

Thank you.

I strongly agree with my colleague, Mr. Ferlo and you, Mr. President. We spoke earlier, that an executive session is needed. It's just really in demand.

I'm not questioning Mr. Hertzberg's interpretation or argument on legal grounds. I think there's other issues that are very relevant to this discussion, one is policy and one is personnel. Obviously, the personnel issue should be discussed in executive session even though we could touch upon some of it now.

I think that Director Costa is not in any way being inhibited from doing his job and he's doing a very fine job. I don't think there's any roadblocks that have been put up for Director Costa. I think there's no reason for us to make an immediate decision today.

Just from some of the information that we've been able to gather or some of the information that has been released from the Murphy's Administration. Number one, the Murphy Administration is not supporting this. Number two, it's my information that Director Costa is not supporting this move or even requesting this move. It's also my information, and it's public information that Director Kraszewski, right now, is on short-term sick time. Short-term sick time runs for six months. It's no costs to the taxpayer, not one cent of taxpayer's money is being paid to our former director. It's also no secret that after his short-term sick time that Director Kraszewski will have the option to take his pension, an early pension, that obviously would cost him some dollars.

I'm going to have to put this off because I think people need this for a

discussion. If we take Director Kraszewski's title away from him now, he will be dropped from his short-term sick time. So, that's a policy decision that we have to make. I don't think we're prepared to make this.

One only has to research next year's budget. There's a position in there, director as needed, that doesn't pay any dollars. So, if you just look at that, you can get a feel of what the Administration, which direction they're going into, that Director Costa will be the director of the department and Director Kraszewski will be able to finish up his short-term sick time.

Director Kraszewski has served us well. We could always disagree with directors regarding policy decisions or the way they run their department. But, in terms of dedication and commitment and serving the public, Director Kraszewski was there. I don't see any need for this resolution to be voted upon today.

With all due respect to my colleague, at this time, if there's no objection or if Roberts Orders that does not, in anyway, allow for this, I would like to make a motion that we hold this bill and move for an executive session.

Mr. Udin:

First of all, this is kind of a sensitive and difficult discussion because it involves personnel. But, it is certainly not, in anyway, calling into question the capabilities of Guy Costa. But, it does require us to look in-depth at the issues raised by Councilman Ricciardi regarding the impact it will have on the former director of this department, Ralph

Kraszewski. But, it also provides us an opportunity, quite frankly, to have a broader discussion of this department and what kind of permanent director we should appoint to that position or we should confirm in that position.

I never received any explanation or understanding of the quick movement back and forth between Lamar Barnes and the appointment of Guy Costa. I don't know what happened. I've never had an opportunity to sit in an executive session and have the Administration explain what happened. I would like to know. It has nothing at all to do with Mr. Costa. It just has to do with us knowing what happened.

The Public Works Department, because of its highly technical responsibilities in street maintenance and construction, in the equipment that is involved in those responsibilities, in refuge collection, in snow removal, it requires a level of professional expertise that we ought to be clear about and be making our confirmation within that context. So it allows me an opportunity to engage with the Administration in a discussion of the whole department, not just the technical question of whether or not we should replace the former director at this time.

So, I certainly support an executive session and look forward to it, but on a broader basis than just a legal question.

The Chair:

If I might, I think Mr. Hertzberg brings up a very good point. I think he has been very concerned. He's worked very close with Public Works since he's been

here really. Now that he's in charge of it, he shows an urgency and concern.

I would ask, because we're talking about a personnel matter and you all brought up very good question, I would urge that we have an executive session before it goes too far. Again, I agree with Mr. Hertzberg that we cannot let this go three or four months. I'm saying that within two or three weeks to have this finalized. At an executive session, we could certainly bring out these questions that all of you have had either right now or in private.

So, I think it's a real personnel matter and it's a delicate personnel matter. Again, I think Mr. Hertzberg brings up a good point. We can't let this department go. Everyone is certainly supportive of Mr. Costa. I would urge him to, at least, have an executive session so that our questions can be answered.

Ms. McDonald:

Thank you.

I would rather go into executive session to discuss this because of the ramifications. It's not as simplistic as it seems. Again, I think that Acting Director Costa has done an excellent job for the 90 days that he has served. I look forward to one day affirming him as director without the acting title. But, again, there's ramifications that we need to go into executive session for.

Councilman Udin brings up a very good point as far as this is not the first time that this has happened in having to debate and dialogue in the open about a persons position when, indeed, there

should have been some preliminary discussion or some type of information giving to us that there is going to be an appointment of a director or an acting director.

I would urge, you, Council President O'Connor, that in the future, it should be a policy of this Council Body; that there should be no affirmation of anything until we go into executive session, as we are allowed by law, to discuss personnel matters as it relates to directors. In fact, if you want to extend that, you can even do assisting directors or deputy directors. But, all directors need to be discussed by this Council Body prior to affirmation in an open public forum in our legislative meeting. It should be the norm.

We should quit allowing something to come forward to us without us having had previous discussion. I will say in the future if the Administration or anybody wants to do that, pocket it for right now until we go into executive session and then bring it forward and we can have adequate dialogue and, at least, there'll be some consensus.

Again, this is a personnel matter and, by law, real estate legal matters, etc., we are allowed to go into executive session. I think we should exercise that right in deference to directors.

Mr. Udin:

Point of order.

We have two motions on the floor. I'd like clarification from the President as to which motion is precedent.

The Chair:

I would like to vote on executive session. But, I'll let Mr. Hertzberg have the final comment on the executive session.

Mr. Onorato:

Your motion is on the floor, which is a motion to approve your bill.

Mr. Hertzberg:

That's what is on the floor.

Mr. Ferlo:

Unless it was withdrawn.

The Chair:

I would like Mr. Hertzberg to make the motion.

Mr. Hertzberg:

Mr. Onorato has comments.

Mr. Onorato:

Real brief comment.

First of all, let me just say that I'm a strong supporter of Acting Director Costa and I think he'd make a great permanent director. I think he'll ultimately get there. The bill in front of us really goes to a procedure that we amended the Home Rule Charter on how to get individuals into directorship roles if the Administration refuses to present a name to us.

The only request I would have as we implement this amendment, which I think we've done once, should be in a

format of a bill like this. But, I do believe that it should go through the regular process and get to a Wednesday's committee meeting so that we have an opportunity to do the actual interviewing, questioning of the person nominated.

I'll give the Administration the benefit of the doubt that they can come to the table and say either, yes they're for it or against it. We ultimately make the vote. But, I think it should get into a discussion meeting on a Wednesday so that we hear all the pros and cons and then you call the vote. If there's concerns about a lawsuit and a precedence is set, that's what Wednesday's are for, we can talk about the legal concerns. If it's something that's so sensitive on Wednesday, then we shift it to an executive session.

But, I think it should run the course and have the confirmation hearings just as if the Administration has presented the bill which would go to a Wednesday session, too.

The Chair:

Thank you.

Mr. Hertzberg, final word.

Mr. Hertzberg:

I don't intend to withdraw the motion. So, do what you need to do.

I would say that, as an acting director, Mr. Costa is very much inhibited from doing the job as a director. For starters, he is prohibited from either hiring or firing, that is what the Pittsburgh Code says. He has a very good plan for maintaining our parks, our playgrounds

and our ball fields. He has not been able to move that forward either in his capacity as an acting director. That's not to mention the impact that this is having on the Department of General Services where he was director and you have another acting director.

Maybe I'm an insensitive person or something, but my duty is to the people of this city and that takes priority over one individual.

I'm not withdrawing this motion so do what you need to do.

The Chair:

I don't think we're questioning the motives or anything. Our question is what is the status of the former director. That's the only difference between what I see as the police chief who resigned.

In fact, you do bring up a good point, General Services is now without a director. So, I think it does have to come to a head. I would rather, though, it comes to the table as Mr. Onorato said or if there's a personnel matter, a private personnel matter that we shouldn't be discussing in public, then it can be in an executive session.

Mr. Hertzberg:

The final word on this. I don't see why we're focusing on another individual. The focus has to be the service to the taxpayers. We know Mr. Costa. You can meet him at the table, I really don't think that's really necessary. I'm ready to vote now.

The Chair:

I think we're all agreeing with you. We just need a confirmation as to where is the status of the former director.

Mr. Cohen:

Mr. President, just on a procedural ground, can we have your commitment that if this motion does fail, that we can have an executive session very soon, maybe even this week if at all possible?

I do agree with Councilman Hertzberg that it needs to be resolved quickly and Director Costa does need to have the powers that he needs to be able to run that department. I also understand that there is a personnel issue. Why don't we just get it resolved as soon as we can?

Mr. Udin:

Just an informational question. Why hasn't the Administration come forward with a resolution to permanently appoint Mr. Costa previously? Does anybody know?

The Chair:

These are the questions we need to ask and this is the frustration of Mr. Hertzberg. Again, I'm agreeing with 99 percent of his intentions especially if we have a snowfall tonight and, for whatever reason, the director doesn't have the, I think he does, but in case there's some question of his authority or able to do his programs. We cannot let this thing go like we did the fire chief. So, that's his intention. The big question mark is what is the legal status of the former director.

With that said, Mr. Hertzberg do you want to call the question?

Mr. Hertzberg:

Yes.

The Chair:

Roll call vote on the appointment.

Ayes and noes were taken agreeably to law, and were:

AYES

Mr. Hertzberg

NOES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES One NOES Six

(Mr. Ferlo and Mr. Onorato abstained)

The motion having not received at least two-thirds majority vote, fails.

The Chair:

Can we have a motion to have an executive session?

MR. FERLO moved to have an executive session.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Can you please ask the Solicitor to be present at the executive session also.

Mr. Hertzberg:

And, the Director of Personnel.

Mr. Udin:

If we can also extend this executive session, if it's appropriate, to include both General Services and Public Works.

The Chair:

That's a very good point. We can try to finalize both.

Before we move on, I'd like to welcome to Council Chambers, we have a very distinguished Rabbi Rosenbloom who's very active in my neighborhood and does a lot of work for youth programs. Welcome Rabbi. Next to him is my bother-in-law who just made me a new uncle a couple of weeks ago. So, welcome to Chambers.

Mr. Ferlo:

Thank you, Mr. President.

Mr. President, this past year, for every one of us around this table, including yourself, I'm sure we can recall any number of tragedies that have affected families in the communities in our respective council districts.

Unfortunately, in my council district, in just the last few weeks alone, Councilman Udin also spoke last week, we had the tragic murder of a young man in his prime, Sidney Barlow. He was a father, a husband and a great community

person active in the Garfield community who was viciously shot to death in his attempt to try to resolve a dispute at a Thanksgiving Day football. He leaves a wife who also worked full-time in order to support five children. I want to thank the Bloomfield/Garfield Corporation. They're attempting to try to raise some resources, financial and otherwise, for the family.

I wanted to ask the public and any others who, obviously, share the grief and the sense of frustration over this incident and crisis affecting this family and children. They have established a fund and checks can be made payable to BGC for Angela Barlow. The checks can be sent to the Bloomfield/Garfield Office, 5149 Penn Avenue or you can call my office to get more specifics.

We spoke about the culture of violence in the community not just Garfield, it's happening in suburban communities now as much as it's happening in the urban core. There's no easy answers when we have these kinds of horrific incidents. But, I think, if nothing else we should, at least, try to come together as a community to offer and console, not only the family, but also in any way, if it's at all possible, during the holiday, certainly most families are financially strapped. But, to the extent that there are individuals who would like to contribute regardless of how small or how large. An act of kindness is always going to be a large contribution.

Also, in the last couple of nights alone, we've seen a tragic fire in the Lawrenceville community on Leech Street. A row house part of the neighborhood. There were two children, Jolene and Randy Hall that died, ages 3 and 10.

Every kind of incident like this, and we can recall a number of them in the past year throughout our districts, is certainly tragic. But, the tragedy always seem to be much more, it takes on a greater proportion when it happens during the holidays.

Likewise, as it has always been the case, at least, in my knowledge, the Red Cross quickly came to the aid of the family. They did, obviously, their best. They've always done that in tragedies of fires. There's also a fund established by the Red Cross for this family.

We have a working mom here who works very hard. She works down at Ecostar in McKeesport. In fact, the company and the employees are also trying to raise money among their ranks. And the Red Cross Emergency Disaster Fund is also trying to raise money for the Hall family and the children that have survived. In fact, there's a neighborhood meeting tonight that the Red Cross is having. It's not really to be a meeting of events, it is really just to be a kind of a helping and counseling session for the family, the neighbors and the community and also try to mobilize some sense of concern and resources given this second tragedy.

So, I wanted to report that to the extent that individuals do have the ability to generate any resources personally or at the community level or within their religious sector, both families are in dyer need of any kind of assistance at all.

I would also ask, I know it's going to be difficult, but to the extent that Council, in next year's budget, can just reflect on some of these kind of major tragedies that happen. I don't think we

should do it from Council directly. But, if we can reconsider and try to support major agencies like the Red Cross. They're just always there. On a 24-hour basis, they respond. They work with families on major fires and relocation, overnight housing, temporary bridge housing. So, we may want to try to consider some appropriate, so it's not an individual act by any colleague throughout the year, I'd rather suggest that we try to give consideration to the disaster fund and the Red Cross for helping families throughout our council districts throughout the years.

So, again, for both families there are funds established. You can call my office at 255-2140 or call the Lawrenceville Blockwatch Network. They'll probably be helping out with the Red Cross or Bloomfield/Garfield for the various families.

Thank you very much.

Mr. Udin:

I want to thank Councilman Ferlo for helping to create an opportunity to help the families involved in these tragedies. When we hear things like the fire that occurred in Lawrenceville on Leech Street, regardless of the council district that you're in, you want to reach across council district and be of some help. So, I certainly will be making a contribution, Mr. Ferlo. Again, I thank you for helping to create the mechanism by which to do so.

The same is true for the Barlow family in Garfield. I spoke about it last week how devastated I felt on Thanksgiving to have a tragedy like that to happen. But, it gives me an opportunity to repeat that, as a city, I don't think we are

doing enough to battle gun trafficking and the culture of violence and the culture of acceptance of violence in this City. I've been singing this song for as many years as I've been on Council.

We're losing the battle. In fact, I don't even think we're fighting. I think we have to put up a fight. I think that there's some things that we can do. But, I don't think we're fighting. As long as we're not fighting, we're just watching it on television as though we are sideline observers, it will continue. I think there are things that we can do and we ought to do, but we're not doing it now.

Mr. Cohen:

Thank you, Mr. President.

Just on that point, obviously it's such a tragedy that it's hard to come up with any answers certainly and nothing will take that life back.

But, on the issue of gun violence in the City of Pittsburgh, I wholeheartedly agree with Councilman Udin. I think that we have to be more aggressive on a whole host of fronts when it comes to gun violence.

There are certainly certain things that the City is doing to track guns and certain things, obviously, preventative things that the police department is doing. But, I believe that we need to step it up more on a whole host of areas including one that you introduced, Councilman O'Connor, that I wholeheartedly supported which I know is controversial and it's only one aspect and it's not going to completely solve the problem. That is to file a lawsuit against the gun manufacturers.

Law suits by cities across America against gun manufacturers have worked. They have brought many of the gun manufacturers that produce the Saturday night specials and the handguns without safety devices, brought many of them to their knees. Unfortunately, the Administration has decided not to implement a legislative act of this Council. I think that that's unfortunate and it's wrong. So, that's just one aspect, of course, of many different aspects.

I think what we need to do immediately after this budget is passed in the year 2000 is to have a summit meeting on gun violence. I know that you, Councilman O'Connor, have worked on that very hard. I think we all need to come together around that issue and try to start counteracting the violence that has occurred, not only in our city, but around the country. There are things that are happening in Harrisburg, there are things that are happening here in our city. Unfortunately, nothing is happening nationally, Congress took a powder on it even after Columbine.

I think it should be one of our very top priorities for the year 2000.

The Chair:

I feel the lawsuits, even though we haven't pursued it here, are really working. In fact, I was listening to NRA people about a national company who makes shotguns who actually manufacture them. Now, you have to have a lock with it. So, it's, at least, starting to move in the right direction.

But, certainly what you're talking about and I just spoke with Mr. Udin last

week, the real tragedy here is it's almost accepted in some neighborhoods. It's like, okay, another shooting. Although as tragic as they are, they're almost used to it. We can't tolerate that. I think we all have to work together to end this thing. We're a small city and we have the capabilities of doing it. I don't think we can wait for Harrisburg and Washington to do our business for us.

On the fire, especially around the holidays, you see more and more fires from trailer camps and small homes, I had one a couple of years ago in Greenfield. No matter what we do, it still isn't enough. I guess we're always going to have these tragedies.

Just thinking about the \$10 million dollars we all have right now. Maybe there's a, whether it be Salvation Army, Urban League, if you belong to a church or different organization, there's all these people out there like the Red Cross who's willing to help. But, maybe we need a super coordinator in the city that whenever this happens, we're ready to move that family into a suitable home, temporary basis. The URA, we're doing so many good things, but I think we have to have a system in place that moves fast to help those in need. The Red Cross is for the whole city and, basically, the whole county, too.

Mr. Ferlo:

In terms of the issues that Councilman Udin and Councilman Cohen raises, unfortunately, no amount of fighting back on gun laws or safety locks would change probably the situation of the tragedy of this murder and shooting of Mr. Barlow.

I guess part of the frustration that I have, being an elected official, it's almost like you don't want to impose yourself because people will view you as either being (inaudible) or somehow being heavy handed imposing your comments when you have these tragedies. Maybe I'm off base on this, but I think there is a certain amount of alienation in large parts of the neighborhoods that we represent. It's not only in my district or Councilwoman McDonald's district, which we both represent a portion of the Garfield community. I think everyone of us could probably point to parts of our neighborhood where people individually, as families, and as a broader community in a very large part, feel alienated or feel that city hall or government or the broader institutions have abandoned them.

To me that kind of lays the foundation when you look at the tragedy of the Barlow shooting where you can have close to 200 family members sitting and watching a Thanksgiving football game, a tragedy occurs, gun violence ends up in the death of a young father and no one comes forward to offer any advice or help to the police.

Now, clearly there's a legitimate fear, legitimate because we know that individual witnesses have been victimized in the past, we have spoken about that. I have called in the past and Councilman Cohen as Council has voted on increasing the money for witness protection. But, it creates a culture within the community that we are isolated as individuals and as a community both from ourselves and from broader institutional leaders, be they governmental or religious and the like. It creates a culture where you could have a

tragedy like this. If it wasn't for the fact that there were two off duty police officers at the Fort Pitt Field that day.

Mind you, this is a major setback for many of us in the community that have been working to try to bring things back. We have invested a lot of time and money, to the credit of the Garfield community, especially a lot of the young men in the community some of whom also live in Homewood and East Liberty, but they focus activities at Fort Pitt Field. For the last four or five years, they have built up a very significant strong sports program. It's not just about football and sports, but it's the mobilization of many young men and, predominantly African American males, working with young kids, girls and boys in the community. We've strengthened the field in terms of its physical amenities. There's more direct linkage to Fort Pitt School. People really have worked very, very hard, including Mr. Barlow and his family, to be a part of this counter resurgence in the community of taking back our community and building some support for families. Then, you have this tragedy and it's a major setback.

Maybe this Council could, in some way -- I'm not criticizing the Mayor on this point because maybe he feels like I do that it's hard after this tragedy to go back in the community and say, okay, here I am now, let's pull together. It's almost like maybe we're not the right person to try to bring this together as opposed to some of the religious leaders in the community.

But, maybe this Council, when we have these incidents and maybe even given the tragedy that occurred in Garfield, we can convene a formal meeting. Let's get a

church and maybe we can conduct one of our cable cast meetings out in the neighborhood level. It would not, necessarily, be directly on point to the incident. But, maybe if people feel that we haven't abandoned them and that we're also not afraid to be in the community and that we will go to extra lengths. Maybe when these kinds of tragedies occur, I hope this doesn't seem simplistic or sloganeering, but maybe we need to respond more quickly institutionally as a local government.

This is a community -- again, when you see the disproportionate amount of resources and political opportunity time being spent on major league ballparks or the Convention Center or pending the destruction of our retail corridor, Forbes and Fifth, that builds the sense of isolation and concern in communities like Garfield.

Garfield is in need of having 90 homes demolished that are condemned. It's a need of major appropriations by the Mayor and the URA and this City Council for housing stock strategies. It's almost like there are great people out there working hard, but we're not doing enough. I'm being self-critical here in showing support.

Again, I think the Administration, to a large extent, has turned its back on the management of government, the day to day, nitty gritty livability issues of people living in our neighborhoods. It may come off as being too critical or unfair, but it's perception. The perception is that the Administration only cares about big picture items and doesn't care about the Public Works issue that Councilman Hertzberg eloquently spoke about earlier.

We are losing that battle. I don't want to be a part of losing that battle.

So, I would ask that we all think together over the holidays about how to be more aggressive and progressive on next year. Just one suggestion, when we have tragedies and when people are feeling so isolated and they're fearful of coming forward to help the police, that's why I supported the Civilian Review Board, to build better relations between the community and the police.

Maybe this Council can go back out with our cable cast cameras and have a formal session there in the middle of the day as a way of just reassuring the community, hey, we're here and we care so let's work together and try to work on the problems.

Thank you.

Mr. Udin:

I didn't want to necessarily drag this discussion on too far. But, I did want to take a moment to clarify that when I talk about fighting back, I'm not just talking about law enforcement. I'm really talking about the battle of ideas. This is a cultural war that we are in and many negative images are being projected into the minds of our children and the adults around conflict resolution and around immediate gratification.

I think that the war that we have to help fight when I talk about fighting back, is a war for the ideas to get some input on the minds and the hearts of the residents of the city. I think we are the right ones. We're some of the right ones. We have a very important role to play. People elected

us not just to come here to pass laws, but because they see us as leaders in the community. I think there's a lot of leadership that we can give to community leaders and to neighborhood leaders in helping to mobilize the media and media professionals in putting out images that counteract the cultural images of acceptance and tolerance of this kind of behavior and of harboring murderers in our communities, in our neighborhoods, in our families. We have to fight those ideas. It's a battle of ideas largely that I'm talking about and not just one of law enforcement.

Mr. O'Connor:

I believe people see us not as the leader and elected officials, but when we're there every one of us, it means a lot. How we do that, I was just thinking of the hearing you had on Bedford. Whether you're for or against the issue, it doesn't matter. You have 300 people in a room with a passion. I think we need to take that passion to solve the problems we've been talking about.

So, this certainly is a way to start the New Year whether it be with all Councilmembers together or take different council districts once a month. This could easily be done. Again, there's ideas and there's people. Most of the time, there probably is new ideas out there, but I think they have to know somebody cares. Right now, with these last couple of incidences, I think people think nobody cares.

So, we just don't want to show up after a tragedy, like a governor flies in after a tornado. We have to have a preset and a team, whether it be a shooting incident or, like you said, about the

tragedy in the fire that we are here and we know how to act and we have the resources. Certainly, the positions we all hold certainly can bring, whether it be media attention or whether it be money or the Red Cross, we can certainly be the go between to make it happen a lot quicker to help our people.

If there's no further discussion, I would like to mention I'd like to congratulate, I was there yesterday at the School Board, Mark Brentley and Bill Heizer were sworn in as new School Board Members. Alex Matthews was elected President. I want to congratulate them.

Tomorrow, actually we have a 9:30 a.m. Executive Session in Council Conference 2 as far as a pending lawsuit. Also, today, at 2:00 p.m. we have a public hearing on the historic designation of the of the Lawrence Paint Building.

Mr. Onorato:

I have it on Wednesday, Mr. President. I'm not sure. Maybe the Clerk could clarify that.

The Chair:

Do we want to double check, 2:00 today.

Thursday, we have one. No, that's budget hearings all day Thursday.

Mr. Onorato:

If the Clerk could please clarify. Is there two public hearings on the Lawrence Paint Building or just one?

Ms. Johnson-Wasler:

There's one public hearing.

Mr. Onorato:

When is it?

Ms. Johnson-Wasler:

Tomorrow.

Mr. Cohen:

Mr. President, we do have something to say, however. That is at 2:00 and at 3:00, two Executive Sessions on the Cable Franchise Agreement. These are for briefing proposes only, not for deliberation or for decisions. But, we'd hope that Councilmembers would be able to attend one or the other of those because it's a complicated agreement.

Thank you.

The Chair:

Today?

Mr. Cohen:

Yes, that's today.

The Chair:

Can I have a motion to approve the minutes?

MR. COHEN moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn?

MR. COHEN moved to adjourn the meeting.

MR. RICCIARDI seconded the motion.

And, on the motion made by Mr. Cohen, the meeting was adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, December 14, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have many special guests in the audience today.

Mr. Ferlo:

Good morning and happy holidays to everybody.

I would like the distinguished class from Peabody High School to come forward, all of you.

We have Katie Gillespie who's here. Katie would you come forward with your classmates up front here. We have the mom and dad. Reverend Robinson, my neighbor from St. Andrew's Episcopal Church is here.

Unfortunately, our Principal of Peabody, Vernon Phillips, was not able to be here at the last minute. We do want to wish him a warm hello and congratulate him on all the good work he's doing at Peabody. We have Melissa Pearlman here also. She's an English teacher, even though I thought she was one of the students. But, she's one of the teachers.

We're going to present the following proclamation to Katie. She's one of the main motivators and advocates for this following proclamation, which I would like to read.

PRESENTATIONS

MR. FERLO PRESENTS:

No. 2348 WHEREAS, the World Peace 2000 Network to the United Nations is comprised of representatives from around the globe, from Costa Rica to Iceland, from the United States to the United Kingdom; and

WHEREAS, the Network has encouraged the declaration of a world-wide day of peace, using the historic opportunity that the new century and millennium present to review the current state of the world and to chart new courses of action for a peaceful and better world; and

WHEREAS, peace begins with each of us, when we respect ourselves, each other, and the planet we share, and try to work out our problems peacefully; and

WHEREAS, we can help to create peaceful communities by focusing on how we interact with our families, our neighbors and co-workers; and

WHEREAS, we can lessen violence and separation when we pull together for a common goal; and

WHEREAS, a global movement is growing to ask the world to declare one day of peace on January 1, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims January 1, 2000 as "One Day in Peace" and urges all citizens to celebrate the year 2000 as the year for peace on Earth, and to recognize the importance of promoting peace and harmony in our community, each and every day, one day at a time.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We would like to present this to Katie.

Katie Gillespie is a 10th grade student. These are some of her colleagues and classmates, I believe, from English class. In addition to Katie, and I'll probably butcher some of these names, but we want to introduce them. I'm not sure if everybody's here. We have Sami Finseth who's here, Jos Peck, Te'aina Ledbetter, Jessica Brown, Jessica Tell, Kelly Ware, Kim Keyes, Dawn Givner, Akea Givner, Talia Sorce, Vance Snell, Careema Bell, Angel Cooper, Patrick Austin, Nick Cica, Jeff Woodward, Joe Schneider, and Lucy Gillespie. I don't know if I left anybody out there. Did I leave anybody out? We have mom and dad here.

Anne is an old friend. She's very active in mentoring and providing leadership at Peabody in pupil affairs. And, Katie's dad, Peter Gillespie is here. Good morning.

At this time, I'd like to introduce Katie and kind of explain what this proclamation is all about. Again, I want to thank all of our colleagues for supporting this resolution. We just recently celebrated Hanukkah. We have the Christmas holiday coming up. Many in our community will celebrate the holiday and family gathering of Kwanzaa. After

January 1st, there will be the Orthodox holiday.

Regardless in the manner in which you celebrate as a family or as an individual, I think the central theme has always been peace in our hearts, peace in our minds and peace in our actions.

I think it's important, and I want to thank Katie for her leadership in bringing this proclamation here. Because it's really part of a global family that we all are a part of. So, I want to applaud her and thank her for her involvement and her vision and her leadership and for her classmates for being here.

Let's all practice what we preach.

Ms. Gillespie:

Good morning.

My name is Katie Gillespie. I'm in the 10th grade at Peabody High School. With me today are my classmates, my English teacher, Mrs. Pearlman, and family and friends.

I would like to thank you for giving me the opportunity to speak with you about the one day in peace project that I have asked you to support. I would like to submit to you additional signatures in support of my petition.

What is one day in peace you may ask. It is a non-profit youth educational organizational that is sponsored by more than 1,000 organizations and 130 nations. We are striving for one goal, peace on earth.

If we begin with our own communities, this goal is attainable. For

peace is not only the absence of war, but finding peace within ourselves and learning to respect each other and the plan that we share. Hopefully, by proclaiming January 1, 2000 a special day of peace in Pittsburgh, everyone will realize that a more peaceful world is possible and will want to build on that as we begin the new millennium.

I am here today asking for your support for this effort. It will not cost one cent. However, I am asking you to take a few moments to think about this important issue. World peace and how we can each play a role in its creation.

I leave you with this thought. In the spirit of the well-known song, let there be peace on earth and let it begin with me.

Thank you.

I have brought with me copies of the letter to Council, additional names for the petition and a letter from Governor Ridge in support of One Day in Peace.

I also have a small gift of folded paper cranes which is a Japanese symbol for peace. May I approach Council?

The Chair:

Sure.

Ms. Gillespie:

Thank you very much.

Mr. Ferlo:

Again, thank you all. Let's have a happy holiday for everybody and wish the best for everybody else.

The Chair:

Thank you all very much.

MR. DIVEN PRESENTS:

No. 2349 WHEREAS, on Friday, December 17, 1999, the Pittsburgh Police Department will honor 24 individuals who are retiring from the Police Force; and;

WHEREAS, these retiring men and women have served bravely throughout their careers by maintaining the safety of our City and by recognizing that the life and liberty of its citizens is paramount and;

WHEREAS, although the streets of Pittsburgh are increasingly dangerous, the members of Pittsburgh's Police Force challenge themselves everyday to perform their duties with the utmost responsibility and pride and;

WHEREAS, the City of Pittsburgh draws many visitors into our area each year for many social, cultural and sports events, and our City Police Officers are called upon to maintain the peace and dignity at these events, so we also recognize these fine men and women as Goodwill Ambassadors and;

WHEREAS, the Fraternal Order of Police Annual Retirement Party is one of the F.O.P.'s main events of the year and highlights good fellowship and fraternalism at its best.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing and saluting those 24 retiring police officers for their

dedication and distinguished service on behalf of the City of Pittsburgh and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Friday, December 17, 1999 to be Pittsburgh Police Retirees Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

At this time we would ask the public for public comments. Anybody wishing to address Council, you have three minutes. Please step to the podium and give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

I have a statement here from Mr. Leonard Bodack. It says, as always it's a distinct honor and privilege to serve as your State Senator. If I or any member of your staff can ever be of personal assistance to you, please don't hesitate to call my office. That was a bold faced lie because Senator Specter sent a letter August 18, 1999 saying he sent my papers about Chief Fadzen to Bodack and he would contact me. It's almost the new millennium and he hasn't.

So, since he did that, since no one wants to deal with this, I have all these petitions, over 260 names, citizens that are saying Chief Fadzen should be investigated and he should be suspended immediately with no pay until they find out what's happening.

Also, the parents have a concern about Jacqueline Morrow becoming the lawyer for our school system. We already have three lawyers on this Council and that creates a problem. She will, and I've worked with lawyers, she will be looking out for the benefit of Council first. Just like when I tried to get the open hearing. She made the decision, at first, that we should. Mr. O'Connor wouldn't let me have it. Then, she made the decision, oh, no, you can't. Just like the City did that old man from \$14,000.00 because of all the problems that he had, these three lawyers made the decisions that, oh, no, all the legal things that will happen. You could have said that this would be an exception. We at Council are saying that this will never happen again, that man needs help. The same way you can make an exception with D. Urquhart. If all of you got together and got on Valerie McDonald, I believe she would try to help this lady.

We also want the investigation in Chief Fadzen to see why he has made the decision in his hiring practices. We have one lady, her name is Darcelle Thompson and she's been there 20 years. Chief Fadzen has her working part-time on special assignments. There's a young white officer, she's only been there for two years and she's full-time. He has his segregated unit. He has the white boys that ride in the car and the black ones stay in the building. Because he calls our black

children monkeys and he said that they shouldn't have to deal with monkeys, so maybe that's what he's doing. He put all the black people together because the white ones shouldn't have to deal with them.

I bring all this to you because I'm worried about my children. With the high rates of black children that are being suspended, we need to check into just what's happening. Here are the petitions.

The Chair:

Thank you.

Ms. Brown:

All the petition, all signatures.

Ms. Browder:

Yes, I am Marsha Browder. I reside at 329 Robinson Street.

Before I speak on what I wanted to say, I want to comment on her about the school system attorneys.

The attorneys who work on behalf of the School Board, I know that for a fact, they're no more than prosecutors. They have no interest at all in the students. I know that for myself. So, anything you want to do or any justice that you may have, anybody who have their child coming up against the board's attorney, Stephanie, me and her know each other, it's like going into a pit. Like OJ Simpson going to the district attorney's office in Los Angeles.

What I want to say here is I heard this great testimony about peace on earth, good will to men, isn't that wonderful.

But, it means nothing if your words stop there and nothing else happens. As I say, he who is not for us is most definitely against us. I'm targeting this here to Councilman Udin. The one who turns down, who tears down and does not defend his district. To me, I say, stop profiting on the backs of those who you're supposed to protect.

Murphy is the one who's doing this here, not only is he tearing down public housing, now he's made his way to downtown merchants. Because we have a councilperson who I have not heard yet speak against the Mayor. It's like laying on the backs of the people on our blood, he is taking advantage of us. Now, the merchants as well as public housing, we are targeting the wrong person. They should not be facing Mayor Murphy. Councilman Udin should be dealing on behalf of our communities. Downtown merchants should be having Councilman Udin speaking to Murphy. When you're handshaking and you're slip backing and you're not doing what you're supposed to do, we find ourselves raw against these here forces.

I feel that Councilman Udin is the enemy. I'd like to know from Councilman Udin as being an African American women myself, how long will you believe that you must kill your own people for personal gain? I see a public housing that they are tearing our homes down at a rapid pace. I've seen no other person in this Council laugh at their people's fate but Councilman Udin. They are ripping it down, they're casting us out and the only thing you do is see his back.

I feel that if you cannot do your job, get out. Because by the grace of God

we need somebody with backbone, someone who don't feel that they have to say, yes sir and no sir, but know that we are equal to anybody. What you do is a job that you were given. You were put there not for personal gain, but you were put there to defend your people and to defend a district you're over. We don't have that.

The downtown merchants are in the same shape we are because we have the wrong councilperson. They're going to have to face Murphy and they will lose because Councilman Udin is the one who should say to Murphy, no. Don't slip me something under the table and don't let me profit by the backs of the people I'm supposed to support. You stop it, and when you stop Councilman Udin, you'll stop Murphy. Just like with the Board of Education. Suber got kicked out. As soon as you stopped him, the school system will be able to prosper. That's why they're attacking the man who got in here by laws that nobody else walked by.

Councilman Udin, I say to everybody who is in his district, pour those letters to him. The Mayor has no more power than a tooth does that's pulled out of a mouth. You attack him. I don't care what kind of awards they got, I don't care how much they say he's a great guy. When you're finished, there is always a side that cannot be seen.

Right now, I'm waiting for these people to throw us out. They throw these kids in the street. You know, good will to all man, peace on earth, love your neighbor. They cast these people out --

The Chair:

Please summarize.

Ms. Browder:

I'm summarizing right here.

I'm going to say it and I'm going to say it one time. I hope the whole City is looking. One, Councilman Udin is the person you should be targeting. He is the one that can stop Mayor Murphy. Our homes, Councilman Udin, we will hold you accountable for what is happening. We're cast in the street. God has blessed you, let you do the job or get out.

The Chair:

Thank you. Next speaker, please.

Ms. Urquhart:

Good morning.

My name is Dorothy Urquhart. I reside in East Liberty at 58 Penn Circle North, P.O. Box 5491, East Liberty.

I don't know who started the lie that Pittsburgh is one of your most livable cities or what they were paid to say that. It is not a beautiful or livable city for a majority of the black race. For the black race, it is a living hell to live in this city. We cannot get jobs, we do not get promoted even though we're qualified in many cases. Many times we have principals who have been set up and framed in this city. This is not a lovable or livable city. I don't know who's pulling the wool over who's eye. But, no city allows what happened to me.

I am here because of the evil deed that have been did to me. Pittsburgh

refuses to acknowledge the theft that was did in my case. Pittsburgh City Council and the Mayor refused to do anything about thief. Thief is thief no matter who do it, it is thief. I am the one who gets sick in the winter, cannot go cook in my kitchen because the floor is so cold, I keep a cold. I have to go down on the first floor where I borrowed money and it's so cold. I borrowed money to fix that house and to renovate it.

I'm a black woman who love to renovate and see beautiful things, too. I like to make things beautiful. I'm an artist by trade and I like to make things beautiful.

But, what happened in this city, they would not allow for a black woman to think that she could do this on a main street in East Liberty. Well, I'm here to say that I am a black woman even though you interfered with my dreams. You let the URA do it and get away with it so far. I wonder who's going to tell the URA and the city to straighten it out. It's a shame that the white man, the old elderly person in this city who lived in Ricciardi's district, he come down here about the wrong that was did to him by the city. He could not get rectified. It's only \$14,000.00, but they could not even do that right.

You have to start facing up to the wrong that you're doing to little people. It's the little people that's worked in this city and have built this city. It's the money people who's tearing it down. Anytime you have a city torn up as long as you have Pittsburgh. I drove a bus and almost 20 years ago from the subway, this city has been torn up. How can a city thrive like that?

No this city is domed for destruction because the leaders are discriminating, they're evil and they're racist, they're a bunch of racist. They're telling you all what to do.

I tell you, you better turn to the Creator because I tell you what you're going down, this city and everybody in it, very fast.

The Chair:

Thank you.

Any other speakers wishing to address Council.

Hearing none, we will move to Presentation of Papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 2350 Resolution authorizing the transfer of One Hundred Fifteen Thousand Dollars (\$115,000.00) from Emergency Medical Services Organization Code 220000, Fund 1000, Account 511000, Sub-Class 010, Budget Year 1999, Salaries-Reg to Emergency Medical Services Organization Code 220000, Fund 1000, Account 542700, Sub-Class 120, Budget Year 1999, Equipment.

No. 2351 Resolution authorizing the transfer of Thirty Nine Thousand Four Hundred Forty Eight Dollars (\$39,448) from within the Bureau of Fire, Department of Public Safety.

Which were read and referred to the Committee on Finance and Budget.

No. 2352 Resolution providing for an Agreement or Agreements with a consultant or consultants for the provision of professional services at a cost not to exceed \$25,000.

No. 2353 Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of uniforms, protective equipment and related accessories for the Bureau of Police at a cost not to exceed \$221,200.00.

No. 2354 Resolution providing for a Contract or Agreement or the use of existing Contracts or Agreements to purchase equipment for the Bureau of Emergency Medical Services. Total cost shall not exceed \$115,000.00.

Which were severally read and referred to the Committee on Public Safety Services.

MR. HERTZBERG PRESENTED:

No. 2355 Resolution authorizing the issuance of a warrant in favor of Just Ducky Tours, Inc., in the amount of Two Thousand and Twenty (\$2,020) for reimbursement of costs incurred for the hiring of Pittsburgh Police to perform special detail at the public river access in the South Side, and providing for the payment of the cost thereof. —
(SPONSORED BY MR. HERTZBERG)

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO seconded the motion.

Which motion prevailed.

No. 2356 Resolution providing for an agreement by and between the City of Pittsburgh, The Pennsylvania Resource Council (PRC), a Pennsylvania Non-Profit Environmental Organization, to develop, institute and Administer A Public education campaign in conjunction with The City's Recycling Program at a cost not to exceed \$88,000.00.

Which was read and referred to the Committee on Public Works and Environmental Services.

Mr. Hertzberg:

Mr. President, point of procedure.

Do we want to waive Rule 8 on everything?

The Chair:

Not this one, the next one.

MR. UDIN PRESENTED:

No. 2357 Resolution transferring the amount of \$742,154 from various accounts citywide to the Pension Account, Fund 1000, Organization 999300, Sub Class 180, Budget Year 1999, Account 577100 in order to make up the shortfall received in the State Pension Aid.

No. 2358 Resolution transferring the amount of \$160,000 from Finance, Salaries, Fund 1000, Org 107000, Subclass

010, Account 511000, Budget Year 1999 to Non-Departmental - City-wide, Judgments, Fund 1000, Org 999200, Subclass 170, Account 582200, Budget Year 1999.

No. 2359 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property, designated as part of Block 115 E, Lot 40, in the 27th Ward of the City of Pittsburgh, to Walter R. Lorenz & Clara M. Lorenz, his wife, for the sum of \$500.00.

Which were severally read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 2360 Communication from City Controller, Tom Flaherty submitting a Special Report of the Three Pension Plans of the City of Pittsburgh.

No. 2361 Communication from City Solicitor, Jacqueline Morrow submitting a summary of claims filed and paid in November, 1999.

Which were read, received and filed.

MR. HERTZBERG moved to receive and file.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Is there any unfinished business to come in front of Council?

Hearing none, we'll move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2362:

Report of the Committee on Finance and Budget for December 8, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 2314:

Resolution providing for the issuance of a warrant in favor of Mackin Engineering Company in the amount of \$15,000.00 to cover costs associated with the design of repairs to Cape May Bridge sidewalk; and providing for the payment thereof. (PRESENTED BY MR. FERLO)

Which was read.

Also,

Bill No. 2318:

Resolution Designating Banks and Lending Institutions to act as Depositories for the year 2000 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Which was read.

Also,

Bill No. 2319:

Resolution granting the Historical Society of Western Pennsylvania, a license agreement to install, maintain, repair, renew and finally remove at their own cost and expense, a historical marker on City of Pittsburgh property, designated as Block 23 R, Lot 157, located in Allegheny Center, in the 22nd Ward.

Which was read.

Also,

Bill No. 2333:

Resolution authorizing the transfer of Seven Hundred Thirty Thousand Two Hundred Sixty Five Dollars and Fourteen Cents (\$730,265.14) from the Bureau of Police to the Law Department. -- (PRESENTED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now reading for final action.

All in favor of the passage of the bills will vote aye when their names are called, all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2363:

Report of the Committee on Housing, Economic Development and Promotion for December 8, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2315:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the Public Auditorium Authority of Pittsburgh and Allegheny County (Sports and Exhibition Authority of Pittsburgh and Allegheny County) for the sale of Parcels 14 and 20 (Block 8G Lots 133, 134, 144, 145, 149, 150 & 151 and Block 8H Lots 185, 199, 200, 201, 202, 204, 205, 207 & 208) in the Twenty Second Ward of the City of

Pittsburgh in Redevelopment Area No. 39, Council District No. 1, East General Robinson Street (parking garage construction). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill.

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Mr. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES One

(Mr. Ricciardi voted no)

The bill has received the legally required number of votes and has passed finally.

MR. DIVEN PRESENTED:

Bill No. 2364:

Report of the Committee on Public Safety Services for December 8, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2195:

Resolution Creating a Task Force to Study Regulating the Towing of Vehicles from Private Parking Lots.—
(SPONSORED BY MR. HERTZBERG)
(HEARING HELD NOVEMBER 30, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill.

Mr. Hertzberg:

Thank you, Mr. President.

First, I would like to have my comments brought forward. Then, I don't want to belabor this because I think we've had a public comment and a lot of discussion on Council already concerning regulating the towing from private lots.

I just want to thank Council for their attention to the issue and for coming here during an evening and spending a couple of hours listening to the public on this topic. I thank you for your support in the past and I think we're all doing ourselves a favor. By getting into this issue, we're going to make this a little

better of a place to come to where we won't be sending out the wrong messages to people that make a slight error in where they choose to park.

(See Addendum for Comments)

Mr. Ferlo:

I have no problem supporting this because I think the Councilman is, at least, heading in the right direction because he's trying to put together a taskforce to look at the issue. As well, I appreciate the comments of our City Controller and the folks that came out to the public hearing.

I would hope that, and I will introduce the bill again come the New Year. I don't think it's appropriate to do it now giving our pre-occupation with the budget and other policy issues. I would ask that Council reconsider its past rejection of the actual licensure of the tow operator business in the City of Pittsburgh.

For the sake of, at least, moving the discussion ahead, I was planning to reintroduce a licensure bill regarding the manner in which tow truck companies operate in the City of Pittsburgh, everything from consumer rights to the quality or character of the vehicle itself.

To this day, I see vehicles being towed on our city streets with nothing more than a pick-up truck with a wrench. Even to the point that the front tires of some of these smaller pick-ups are bouncing up and down because they're hauling a car that really should not legally or safety wise, be hauled. So, I don't think it should be in conflict with what Councilman Hertzberg's proposing. But, I

would ask that this Council reconsider reviewing that issue.

I look forward to reintroducing that bill come the first part of January.

Thank you.

The Chair:

How is this taskforce going to be formed?

Mr. Hertzberg:

My plan was it's enumerated who is going to be on there. There were a couple of other individuals that came to the hearing and have shown great interest and have spent some time on the issue that also wanted to be on the taskforce. I hope to appoint them as well. That's the plan.

I'd like to move on it quickly. Because as I mentioned last week, the problem has not abated even with all the publicity. Really, I would warn the public, particularly First Night, the more people that are in town, the larger the crowd, the larger the event, the more the preying goes on, the shark like atmosphere, with tow trucks is going to occur. I hope to be able to move fairly quickly on it and get something to Council early in the year to look at.

The Chair:

It may or may not interfere with your license bill, Mr. Ferlo, but you may want to, at least, have them look at it.

Mr. Ferlo:

When I introduce it, I'll refer it to the taskforce for an opinion.

The Chair:

I remember there were some details that seemed to be pretty controversial. Although as minor as they may be, there seem to be some legitimate problems that could be worked out.

The bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bill has received the legally required number of votes and has passed finally.

Mr. Ferlo:

Point of order, Mr. President.

Can we get a clarification from the President or the Chairman, Mr. Onorato or Councilman Udin, on the Historic Review Commission recommendation regarding

the schools? A number of us left the meeting, I thought we asked for an opinion about whether or not the bills were to be tabled, modified or reintroduced. If somebody could just clarify that for me.

The Chair:

Did we hold those two? What did we do with them? I think we tabled them.

Mr. Ferlo:

So, in effect, then, they will be reintroduced come January.

Thank you very much.

The Chair:

We have two public hearings this week. Today, at 2:00, we have the Maglev meeting. On Wednesday, tomorrow, December 15th, we have a cablecast public hearing on the cable television franchise agreement at 2:00.

Mr. Diven:

I just wanted to register an aye vote on the votes that I missed when I was out of the room.

The Chair:

So noted.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

On another matter, I know it's getting late in the year and everybody's preoccupied with the budget. I know we're, at least, agreeing, I think the majority have agreed, and we have a series

of bills outstanding, that in some way or another will reflect what the ultimate vote or decision of this Body will be regarding the Mayor's proposal for the so-called urban mall for the Forbes/Fifth retail corridor. But, I would still like to expound on the whole events that have been unfolding. Events that, as far as I'm concerned, are not only hasty, but are happening far too quickly for my view and opinion as well as, I think, a lot of others including those who have equity investments and who are stakeholders, legal stakeholders, in this whole decision making process.

First of all, I was at the Planning Commission meeting a couple of weeks ago. It was a very controversial Planning Commission meeting. Probably more than half the people in the room were there not for the Forbes/Fifth, but for two other controversial issues that the Planning Commission was dealing with including the issue of the Lawrence Paint Company building and also a controversial issue involving some historic designation of a street in the Chatham College area. There were a lesser number of individuals that were there regarding the Forbes/Fifth.

I may be improper on this, but I believe and I do question the legal requirement. I challenge the fact that the Administration did not legally communicate to property owners both within and immediately affected by the so-called Forbes/Fifth retail proposal. So, I think they had a flawed process in not giving proper legal notification to individuals who have property interest in the effected area to be demolished by the Administration.

Accordingly, I think they should rescind their vote. I think it's an illegal and appropriate vote. I think they should rescind their vote. I think they should come back after January. I strongly would ask, and I will introduce a bill come January 1st, I think we should require both the Historical Review Commission and the City Planning Commission to conduct a formal cablecast public hearing here in these Chambers in the evening hours.

We haven't had a more controversial or far reaching decision in my 12 years of being on Council than the issue that is before us. It is true, the argument about stadia construction was focused in locally and regionally and was controversial, but as far as a project that is solely on the shoulders and backs of this Council and the Mayor and the citizens in Pittsburgh to decide. The stadia was a regional thing. It was funded by state/local government. It was a much broader fundamental issue that happens to be located in the city. The issue that's before us is solely and squarely a City of Pittsburgh parochial issue regarding what we want the future of downtown to be.

I think it should necessitate a little more public input, education, participation and comment before we move to demolish and create an East Liberty mall in the downtown corridor because that's where we're headed right now. I think it's going to be outrageous if this Council works to rubber stamp the Mayor's proposal on a Forbes/Fifth retail urban super mall, without a roof, that nobody's going to come to.

We should ask the Planning Commission to rescind their vote. They should come down and, after January, hold

a formal public hearing cablecast in these Chambers.

The HRC, which people finally did realize that the Historical Review Commission was going to have a public hearing this past week, was packed with people and stakeholders as well as the public and residents of the city. In fact, there was so much controversy and so much commentary on the issue of the destruction of the buildings and preservation issues and policy issues, that they delayed their vote. They were supposed to rush to judgment also. They got so intimidated they didn't even vote.

They're going to have another round robin session and I would urge that they also have a cablecast public hearing in these Council Chambers with public notification to the stakeholders after January 1st. We should let them use these Chambers and we should cablecast their meetings before they make any formal recommendation to this Council.

I also think there's a question about the attendance, or the lack thereof, of the members of the Commission, the Planning Commission and the Historic Review Commission. I would also ask that each commission member reviews whether or not they have a conflict of interest. There are too many people on the Commission, including lawyers and consultants, that somehow have something directly or indirectly to do with the Mayor's Forbes/Fifth retail agenda. I think they should excuse themselves from voting on the issue.

I think this Council should take the offensive and show some leadership for a change. I think this Council should give

some money, a couple hundred thousand dollars, to enable this Community Development Corporation that wants to form downtown of downtown stakeholders. Let's provide them with some planning and technical resource money so they can come forward with some logical plan regarding the future and the viability of downtown retail. To the extent that we've given Community Development Corporation money to every other neighborhood based initiative group that does residential/commercial, we should do likewise. I think we should be an enabler. I would ask that this Council, early in the first of the year, if not between now and the end of the year do this. I think in some reasonable and prudent way, we should provide some resource capacity, I'm not saying we should fund it all. But, to the extent that we do it for neighborhood based initiative groups, I think we should consider providing some working capital for a new CDC which, apparently, is being formed as I speak, of downtown stakeholders who want to offer a counter proposal.

Thirdly, I think we should go back to, what I called in the paper, ground zero. Maybe square one is the more appropriate language.

I don't even think this is the right question that we're trying to answer. This fait accompli that's been handed to us by the Murphy Administration of take it or leave it, despite any comments from others who say, well we can finesse it a little bit, we can change it, we can modify it. Fundamentally, we're talking about one equity owner outside of the city, Urban Retail Associates, I'm getting them mixed up with Capital Assets and 600 Grant Street, whatever that group is, they're all the same to me. We're providing this

opportunity for urban retail to come in and we're turning our backs on people that have been here for decades, either at the retail level or at the property management and ownership level and we're not allowing them to be equity investors of their own future and their own destinies which I fundamentally resent.

But, I think we should pose a different question back to the Administration, the URA and to the public. I think we should ask the question, how do we build a neighborhood in downtown Pittsburgh. I think this Council should put out its own request for proposals with our own scope of services to talk about what we would like to see in the downtown. For me, it's not creating an urban mall with one dumbbell store on one end and another dumbbell store on the other and some movie plex theater and high cost yuppie jelly beans sold in the middle, instead of having Candy Rama. That's not my idea of what I would like to see unfold.

So, I think we should put our scope of services out and our own request for proposal. I've already spoken on what I would like to see. I would like to see us answer the question, how do we build a neighborhood of 15,000 more people as residents in the downtown corridor?

I think we should direct money to a Street Face facade program, not mow things down. We should do what we've done, and it's been tested and true, at the neighborhood level. Everywhere at the neighborhood level we've invested money, neighborhood Street Face programs, we've seen a multiplication of employment, locally based; we've seen a higher rate of profit and income from those retail

businesses and I can name hundreds of them at the retail level at the neighborhood. Why don't we do that for the downtown?

Let's give these people that have been paying the high building leasing rates and the taxes a break. Let's do neighborhood Street Face facade program and fix up downtown in an orderly fashion and non-destructive fashion. Let's build housing. Let's make a concerted effort to avail ourselves and survey all available loft opportunities. Where we have empty vacant lots, including under utilized urban open space that's right now parking 20 cars, let's build some new affordable housing and provide opportunities for young people and others, retirees and whoever else who wants to live downtown and in the Oakland and Strip corridor. Let's do it. Let's put the money where our mouth.

Let's do a retail shuttle that connects the Strip to downtown. Let's have a free trolley line, ala San Francisco, operating throughout the early morning, afternoon and evening hours connecting people. They come downtown, they get on free retail trolley, they want to go to the Strip, they want to go to the Convention Center, they want to go to the Science Center or they want to go to the Pirate game and just have a circular thing. Let's work it out with PAT, let's fund it and let's make it part of this deal.

Let's commit to a 20,000 or 30,000 square foot supermarket downtown so residents have somewhere to shop. Or let's do a modern version of the Diamond Market or whatever. But, let's make that part of the plan.

The other thing I think we should do before we do anything at some point, before we decide to kill the neighborhood retail in Shadyside, which is basically an already existing urban mall in this city, why don't we have an impact study? I'd like to know if we do Anne Taylor downtown or Victoria Secrets or Banana Republic, what does that mean for the Shadyside loss? Are we going to have two multiple urban malls, Shadyside and Walnut Street? Shadyside is very viable. I know there's these constant impact issues with the residents. Somehow we finesse it through and everybody tries to live together. But, we have an urban retail mall.

When I met with the Urban Retail Mafia, they said that Walnut Street is a neighborhood retail. I don't know how Shadyside is neighborhood retail. Yeah, there's a drug store and there's a hardware shop and some food opportunities. But, fundamentally, most of the money that gets spent there is from non-city residents going to shop there. Maybe some 14th Ward, 11th Ward and some city residents shop there, 20 or 30 percent. But, if it wasn't for Fox Chapel, O'Hara Township, Mt. Lebanon, you name it all over the city, all over the county, that's who's coming and supporting the high cost of the retail corridor in Shadyside. I'd like to be proved wrong that that's not the case. So, what's the impact on that?

What's the impact on the entertainment region? We just spent hundreds of millions of dollars committing to the stadia project. And, supposedly, now what's different about this project versus the 1970's Three Rivers, is we're going to have shops and urban retail and entertainment retail in and around the

stadia at the other end of the 6th Street bridge. Great, what's the impact of that? Are all these people who drink all of this booze going to come out of the woodwork and support all these super bars? Come on, Woodson's Place closed up at Station Square.

When we do something to displace and change the whole political economy and capital nature of the retail, there's going to be impacts. I want to know why we're creating an urban super mall downtown that nobody in the suburbs is going to come down and support anyway? Why threaten the viability of the Walnut Street corridor where people have been paying the freight and paying the taxes? Why threaten Station Square? Everybody on this Council has used the phrase about Station Square being the jewel of retail in the urban community.

There's so much money to go around folks, it's going to come from somewhere. What is the impact, what is the retail business impact of this Murphy plan on Walnut Street, on Station Square and the Rooney/McClatchy retail on 6th Street? Are we asking that and are we getting an answer? No. Because all this is is who's friends with whom and who do we want to ingratiate, who do we want to take care of and public be damn? That's what this Administration is about and I will fight this proposal tooth and nail.

So, that's my 2 cents, maybe 18 cents. I think the Planning Commission should rescind their vote and conduct a legal public hearing with public notification, which did not happen. I will work to challenge that legally, that vote and that body. The members of that body, including Mr. DeSantis who have a

conflict of interest, should excuse their participation on these votes.

I find it interesting that the Chairman of the Historic Review Commission comes down during the hearing to give me and Mr. Hertzberg a lecture about how important it is to save the Lawrence Paint Company building. In my same breathe, I said, by the way is that your view about the Forbes/Fifth retail, oh, no, I don't think he had an answer. I got too upset and left because I was ready to become Sid Vicious.

We should be asking these questions and that's not happening. People are trying to finesse this and still make this steam roll. I hope this Council, during the holiday season, goes home and gets some guts to do the right thing to set this thing back on track.

Thank you.

Ms. McDonald:

I just wanted to thank those individuals who came to the City County Building to drop off clothing. And, to remind everyone that December 21st is the last day for drop off of corporate clothing, men's, women's, anything that you would wear in business attire, from stockings and belts and jewelry to shirts, ties, you name it. December 21st, next Tuesday, that's the last day.

The bin is located on the Ross Street side of the City County Building. There is no bin on the Grant Street side, just the Ross Street side. I encourage us to even double our efforts to make sure that we have a sizable donation to give to those who may want to be able to have a job

interview and land on two feet next year in the new millennium.

So, thank all those and I encourage those who haven't made a donation to please look in your closet and see what you can donate.

The Chair:

If I can get back to the downtown a little bit. I certainly agree with almost everything you said.

I'm just comparing it with Nine Mile Run. We plan on putting a new neighborhood in there. Actually, we've been designing it, planning it and working with the neighborhood for three years. I believe Mr. Cohen knows, it may be even four. We had a meeting even last night to design how the sidewalks are going to be, when they're going to be done, and how much interference will they have with the neighborhood. So, I don't know what the rush is.

Again, you've brought up a lot of good points. We have the Cultural Trust, we have retail and we have residential and developments. Why don't we have a riverfront plan and why don't we have a downtown commission. I believe it could be done, we all want it to be done. I don't think anyone is pleased with the way it's being pushed through. I think with Councilman Udin's leadership, he put his foot down and we followed him with we're not going to do anything until next year. We certainly can revert back to what you said. Maybe everyone ought to take a deep breath and start over again here.

Mr. Ferlo:

This Administration is about the, oh boy, network and taking care of friends. It's shaky as the day is long. I'll use an example. For seven years I've been struggling to see a site develop at 51st at Butler Street in Lawrence. It's laid fallow for close to a decade owned by West Penn Hospital. The first shopping center that was going to go there, it didn't work out. Now, to the credit of Mr. Kumer and others that were tenants and owners, Mr. Kumer does have some working capital, by the way, we gave it to him, he was interested in buying that site to relocate most of the businesses from the North Side over to the Lawrenceville corridor.

Now, out of the blue, Rubinoff is going to own the property from West Penn Hospital. I find that amazing. After all this time of being emptied and disinterested parties, just when we finally have a millionaire that wants to buy it and move some businesses and create some jobs and relocate the Heinz businesses, now all of a sudden somebody else owns it. Isn't that amazing. City hall continues to amaze me, Mr. President.

The Chair:

Anything else under Motions and Resolutions?

The Chair:

Can I have a motion to adjourn?

MR. FERLO moved to adjourn the meeting.

MS. MCDONALD seconded the motion.

And, on the motion made by Mr. Ferlo, the meeting was adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill No. 2195 can be found in the Standing Committee Meeting minutes of December 8, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Monday, December 20, 1999

PRESENT:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

We have three to be read into the record from Mr. Hertzberg and Mr. Diven.

PRESENTATIONS

MR. HERTZBERG PRESENTS:

No. 2365 WHEREAS, Joseph J. Rodgers, Sr. is the 1999 recipient of the Pittsburgh Zone 4 Public Safety Council Award; and

WHEREAS, as a young man, Joseph served in two different branches of the Armed Forces; in the Navy from 1943 to 1947 and in the Army from 1948 to 1951, when he was wounded and received the Purple Heart Award; and

WHEREAS, Joseph was employed by the City of Pittsburgh in the Department of Parks and Recreation as a Recreation Leader and became the Director of the Sheraden Senior Citizens Center until he retired in 1991; and

WHEREAS, Joseph has been active in many Sheraden Community organizations, including: Cub Scouts, Boy Scouts, Youth Softball, Football, Baseball, Sheraden Improvement Council, Kiwanis and the American Legion Post 496 where he has served as Commander for the last two years; and

WHEREAS, Joseph's accomplishments over the years have included:

Organizing the first Sheraden Days Carnival;

Working with the Department of Parks and Recreation for a larger swimming pool in the Sheraden Community;

Working to bring the Sheraden Senior Citizens Center/Library to the neighborhood, along with better lighting and landscaping;

Erecting a War Memorial to honor veterans from all wars at the American Legion Post 496; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Mr. Joseph J. Rodgers, Sr., for his many years of service and dedication to the residents of the City of Pittsburgh, and the Sheraden Community.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. HERTZBERG AND MR. DIVEN PRESENT:

No. 2366 WHEREAS, William Feineigle is the 1999 recipient of the Pittsburgh Zone 4 Public Safety Council Award; and

WHEREAS, Mr. Feineigle has been the Vice President/Treasurer of the Brookline Block Watch since 1992, attending monthly meetings, keeping financial records of the organization and distributing the monthly crime reports to Brookline residents; and

WHEREAS, since 1996, Mr. Feineigle has volunteered at the Brookline Police Mini-Station answering the phones and questions people have regarding problems and crime in the Brookline Community; and

WHEREAS, Mr. Feineigle is on the Executive Board of the Brookline Area Community Council; and

WHEREAS, Mr. Feineigle is a member of the Zone 4 Public Safety Committee; in this capacity he attends all Safety Committee meetings and reports back to the Brookline Area Community Council and their membership; and

WHEREAS, Mr. Feineigle has been the Treasurer of the Zone 4 Public Safety Council since 1998, keeping all financial records and reporting to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, thanks William Feineigle for his service to the citizens of the City of Pittsburgh, and particularly to the residents of the Brookline Neighborhood

Also,

No. 2367 WHEREAS, Mary Anne Miller is the 1999 recipient of the Pittsburgh Zone 4 Public Safety Council Award; and

WHEREAS, Ms. Miller has been the President of the Brookline Block Watch since 1992, she organized the group and chairs the monthly meetings for the residents of Brookline, keeping records of crimes in the neighborhood, taking resident concerns and complaints and reporting them to the Chief of Police; and

WHEREAS, since 1996, Ms. Miller has volunteered at the Brookline Police Mini-Station organizing and getting volunteers, answering the phones and advising residents on who to contact in various situations that arise in the community; and

WHEREAS, Ms. Miller is on the Executive Board of the Brookline Area Community Council and is in charge of the following projects:

Pittsburgh Clean-sweep - organizing community clean-up projects and volunteers for major City clean up;

Block clean-up - weekly cleaning of the Brookline cannon area;

Public Safety Committee - report crime activities to members; and

WHEREAS, from 1996 to the present Ms. Miller has been a member of the Brookline Neighborhood Planning Initiative Committee; as recording secretary, she has organized community leaders and volunteers to be involved in community planning with the Community Technical Assistance Corporation (CTAC); and

WHEREAS, since 1996 Ms. Miller has been Sergeant-At-Arms of the Zone 4

Public Safety Council, in charge of attendance and keeping order at monthly meetings.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, thanks Mary Anne Miller for her volunteer service to the citizens of the City of Pittsburgh, and particularly to the residents of the Brookline Neighborhood.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

At this time, we will take comments from the public. Anyone wishing to address Council has three minutes to do so now.

Hearing none, I would like to announce that starting next year we will have public comments at the end of each meeting starting January 11th at our first Standing Committee. We will finish out the year this way.

We will now move to Presentation of Papers

PRESENTATION OF PAPERS

MR. UDIN PRESENTED:

No. 2368 Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with a medical facility(ies) and/or laboratory(ies) for the administration and evaluation of federally

mandated and bargaining unit specified employee and applicant drug and alcohol testing. The total amount payable under said agreement shall not exceed Forty-Five Thousand Dollar (\$45,000).

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Tuesday.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

There are no other presentation of papers. We will move to Unfinished Business. Any unfinished business to come in front of Council.

Hearing none, we will move to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2369:

Report of the Committee on Finance and Budget for December 15, 1999, transmitting two ordinances and sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2090:

Resolution authorizing and directing the Solicitor to prepare for formal introduction to Council an Ordinance creating the NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT COMMISSION, no later than thirty (30) days from the passage of this Resolution. Council shall hold a formal public hearing prior to action on the Ordinance. The Ordinance creating and authorizing the Commission shall contain, but not be limited to, the following provisions. —(SPONSORED BY MR. FERLO) (HEARING HELD NOVEMBER 18, 1999)

Which was read.

Also,

Bill No. 2316:

An Ordinance amending the Pittsburgh Code, title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax Section 263.01, levy and Rate on Lands and Buildings, by levying the real property tax for [1999] 2000.

Which was read.

Also,

Bill No. 2317:

An Ordinance amending the Pittsburgh Code, title Two, Fiscal, Article VII, Business Related Taxes, Chapters 245, Earned Income Tax and 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for [1999] 2000.

Which was read.

Also,

Bill No. 2320:

Resolution making appropriations to pay the expenses of conducting the public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2000.

Which was read.

Also,

Bill No. 2321:

Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

Which was read.

Also,

Bill No. 2322:

Resolution adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, "by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments.

Which was read.

Also,

Bill No. 2337:

Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, at a cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 2338:

Resolution authorizing the City Controller to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the purchase of equipment in an amount not to exceed Fifteen Thousand Dollars \$15,000.00.

Which was read.

Also,

Bill No. 2339:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) Elmer Craddock & Charlene Craddock, his wife
LOT 13.60 X 54.30
LOCATION 807 Sweeney Place
Purchase Price \$100.00

WARD 12 BLOCK 125 G LOT 229
COUNCIL DISTRICT #9

(B) Glen Rieger
LOT 22.17 X 175
LOCATION 228 Glen Caladh Street
Purchase Price \$100.00
WARD 15 BLOCK 56 G LOT 74
COUNCIL DISTRICT #5

(C) Donald Sheffey
LOT 40 X 107
LOCATION 226-228 Tipton Street
Purchase Price \$100.00
WARD 15 BLOCK 56 L LOT 35
COUNCIL DISTRICT #5

(D) Significance Partnership
LOT 44 X 75
LOCATION 1424 Sheffield Street
Purchase Price \$100.00
WARD 21 BLOCK 22 P LOT 246
COUNCIL DISTRICT #6

(E) Ronald Fowler
LOT 22 X 83.5
LOCATION 907 Constance Street
Purchase Price \$100.00
WARD 23 BLOCK 24 K LOT 272
COUNCIL DISTRICT #1

(F) Fannie M. Johnson
LOT 20 X 50
LOCATION 247 Carrington Street
Purchase Price \$100.00
WARD 25 BLOCK 23 F LOT 252
COUNCIL DISTRICT #6

Which was read.

Also,

Bill No. 2340:

Resolution authorizing the City of Pittsburgh to enter into a lease agreement, not to exceed thirty (30 years), with Mon Valley Petroleum, Inc., a corporation organized and existing under the laws of the State of Pennsylvania, with offices at 5155 W. Smithfield Street, McKeesport, PA 15135, for two vacant lots on Butler Street, 10th Ward, Block 121 H, Lots 35 and 36, and a portion of Ballard Way vacated by Resolution enacted July 8, 1998.

Which was read.

Also,

Bill No. 2299:

Resolution transferring the amount of One Hundred and Fifteen Thousand Dollars (\$115,000.00) from various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works. --
-(PRESENTED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 2355:

Resolution authorizing the issuance of a warrant in favor of Just Ducky Tours, Inc., in the amount of Two Thousand and Twenty (\$2,020) for reimbursement of costs incurred for the hiring of Pittsburgh Police to perform special detail at the public river access in the South Side, and providing for the payment of the cost thereof. --(SPONSORED BY MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Mr. President, regarding Bill No. 2299, this is a transfer of \$115,000.00 from various code accounts within the Department of Public Works to other code accounts in the Department of Public Works. This was discussed at length at the Standing Committee's meeting last Wednesday. This was a companion bill to a bill that would authorize a consultant contract to study the Bureau of Environmental Services and how we collect refuge.

I've had discussions with the Acting Director of the Department of Public Works, Mr. Costa, and he's also been in touch with the Mayor's Director of the Budget, Ms. McLean. It seems like there are some perceptions out there that although we're not moving forward with the bill to hire the consultant that this, in fact, tends to go in that direction. That really isn't the kind of message they want to put out. They want to continue with the collective bargaining discussions.

So, at their request, I'm making a motion to table.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

If we're ready with the budget amendments, Mr. President.

Mr. Ferlo:

Discussion.

I just want to thank Council for approving Bill 2090. As you know, I originally envisioned a Public Works initiative, something that had not been done in the city for an awfully long time, in fact, since the '30s. That was on the issue of a Neighborhood Needs Program.

The Administration has agreed with Council that we would take, roughly, \$10 million dollars of income that the City has received that represents part of our fund balance to do a lot of catch up work that's needed badly in the neighborhoods, some parks and public works and infrastructure.

The bill that's before us today would create a neighborhood needs implementation taskforce, it is a 15 member body. It is viewed by this Council on the vote today that this taskforce, made up of both the Administration and this Council and other key directors who have some implementation oversight obligations to get the neighborhood needs program working. This would be the taskforce that will meet regularly, weekly, monthly, whatever, in order to get the actual implementation of the neighborhood needs initiative done as early as starting in January, year 2000.

So, I want to thank my colleagues for working on this. I don't know if there's any other bill of particulars of activities that the taskforce would resolve

and work on. We have a number of them listed points 1 through 16.

I want to thank you for the support of this taskforce. I think this should be the good working body that we need to actually fulfill our commitment to the neighborhoods based on the allocation of the neighborhood needs dollars that we are allocating today.

Thank you.

Mr. Udin:

Thank you, Mr. President.

If colleagues would refer to the package of amendments provided by the Budget Director. Let me just warn colleagues and the public that it is required that every allocation be read separately as part of the amendments. So, we will be reading a great deal of detail through these amendments.

In the Capital Budget adversed, the Capital Budget reduces the CDBG unspecified local option for Council of \$810,000.00 sponsored by all members.

If there's no objection, Mr. President, I'd like to just read through the entire Capital Budget. Anybody that has any comments on any one item can come back to them once we've read them through.

On the CDBG grants --

Mr. Ferlo:

Mr. President, point of order.

I was going to ask Mr. Udin if he could just clarify the fact that a number of

organizations and/or allocations have already been explicitly listed in the budget by districts so that individuals who may be listening to this meeting aren't confused that only some districts are being listed now. If we could just clarify that.

Mr. Udin:

Thank you Mr. Ferlo.

Beginning with the organizations that are, at this point, included in the CDBG funding. Others will be added by amendments at a later date.

African American Music Institute, \$10,000.00; Alpha House, 2,000.00; Beltzhoover Citizens CDC, \$15,000.00; Big Brothers/Big Sisters, \$2,000.00; Bloomfield Business Association \$5,000.00; Bloomfield/Garfield Corporation/ Garfield Gater Youth Football, \$4,000.00; Bloomfield Garfield Corporation, \$3,000.00; Boys and Girls Club Computer Lab, \$25,000.00; Brashear Association, \$9,000.00; Breachmenders, \$4,400.00; Carnegie Library, East Liberty Branch, \$1,500.00; Catholic Charities, Neighborhood Services, \$7,500.00; Center for Creative Play, \$3,500.00; Center for Victims of Violent Crime, \$4,000.00; Charles Morris Nursing Rehabilitation Center, \$3,000.00; Children of Love Theater (COLT), \$4,000.00; Community Empowerment, \$1,000.00; Community Youth & Fitness Center, \$5,000.00; Contact Pittsburgh, \$1,500.00; District Six, \$90,000.00, at yet unallocated. It will be allocated at another time. District Seven Equipment, \$13,000.00; Domestic Abuse Counseling Center, \$2,000.00; East Allegheny Community Council, \$5,000.00; East Liberty Cooperative Ministries, \$3,000.00; East Liberty

Development, \$3,500.00; East North Side Action Committee, \$5,000.00; Eastside Neighborhood Employment Center, \$1,500.00; Elder Ado, Incorporated, \$32,000.00; Elizabeth Seton Center, \$25,000.00; Elliott/West End Athletic Association, \$1,000.00; Elliott/West End Citizens Council, \$3,000.00; Ellsworth Avenue Business Association, \$3,000.00; Epilepsy Foundation of Western PA, \$5,500.00; Esplen Citizens Council, \$7,000.00; Esplen Senior Citizens Association, \$7,000.00; Rodman Street Family & Youth 2000, \$1,500.00; Family Resources, \$4,000.00; Fineview Citizens Council, \$5,000.00; Friendship Development Association, \$15,000.00; Glen Hazel Citizens Council, \$8,000.00; Golden Carriage, \$2,500.00; Goodwill Literacy Initiative, \$11,000.00; Hazelwood Glenwood Glen Hazel Council, \$5,000.00; Hazelwood Initiative/Hazelwood Maintenance Task Force, \$11,000.00; Hilltop Community Children's Center, \$2,400.00; Homewood Brushton Improvement Association, \$5,000.00; Jewish Association on Aging/Council Care, \$5,000.00; Jewish Association on Aging/ Neighbors, \$5,000.00; Jewish Community Center, \$8,000.00; Jewish Family & Children's Center/Career Development, \$7,500.00; Jewish Family & Children's Center/Conflict Dispute Resolution, \$2,500.00; Lawrenceville Block Watch Network, \$4,000.00; Lawrenceville Citizens Council, \$10,000.00; Lawrenceville Corporation/Holiday Lighting, \$5,000.00; Lawrenceville Youth Football Club, \$5,000.00; Lawrenceville/Bloomfield Meals on Wheels, \$2,500.00; Lincoln Larimer Lemington Belmer Corporation, \$2,000.00; Lutheran Services Society/ Brighton Heights Meals on Wheel, \$4,000.00; Miryam's, \$1,000.00; Mt.

Washington CDC, \$5,500.00; Orr Compassionate Care, \$3,000.00; National Council of Jewish Women, \$3,000.00; North Side Saints, \$4,000.00; Northside Leadership Conference, \$4,000.00; Oakland Planning & Development Corporation, \$18,000.00; Oakland Planning and Development/Job Links, \$2,400.00; Operation Better Block, \$10,000.00; Perry Hilltop Citizens Council, \$4,000.00; Persad Center, \$8,000.00; Phipps Conservatory & Botanical Gardens, \$1,500.00; Phipps Conservatory/Citiparks Seniors, \$10,000.00; Pittsburgh Action Against Rape, \$9,000.00; Pittsburgh Aids Task Force, \$3,000.00; Pittsburgh Police Athletic League, \$10,000.00; Polish Hill Civic Association/Building Improvements, \$5,000.00; Program for Female Offenders/Capital Campaign, \$1,000.00; Program to Aid Citizen Enterprise, \$6,000.00; Riverview Tower Apartments, \$6,000.00; Rosedale Block Cluster, \$10,000.00; St. Clair Athletic Association, \$7,400.00; Senior Friends, \$3,000.00; Shepherd Wellness Community, \$6,000.00; Sheptysky Arms, \$5,000.00; Sheraden Homework & Computer Center, \$15,000.00; Sickie Cell Society, \$20,000.00; SIDS Alliance, PA Affiliate, \$19,000.00; South Highland Business Association, \$5,000.00; South Pittsburgh Economic revitalization Team (SPERT), \$5,000.00; South Side Local Development, \$9,000.00; Spring Garden Neighborhood Council, \$28,000.00; Spring View Athletic Association, \$3,000.00; Steel Valley Authority, \$8,000.00; Travelers Aid Society of Pittsburgh, \$1,000.00; Troy Hill Citizens, \$16,000.00; United Cerebral Palsy, \$3,000.00; Urban League of Pittsburgh/Housing Counseling, \$1,000.00; Vietnam Veterans Leadership

Program, \$5,400.00; Vintage, \$4,000.00; Washington Heights Ecumenical Food Bank, \$2,000.00; West End Elliott Joint Project/Employment, \$12,200.00; West End Elliott Joint Project/Housing, \$20,000.00; Western Pennsylvania Conservancy, \$5,000.00; Westgate Village Resident Council, \$9,300.00; Westgate Village Resident Council/Fairywood Community Food Bank, \$6,000.00; Women's Center & Shelter, \$4,000.00; YMCA, Hazelwood Outreach Center, \$5,500.00; and Youthbuild Pittsburgh, \$10,000.00.

That completes the Capital Budget amendments. Should we proceed through all of the amendments?

The Chair:

Any questions or comments.

Mr. Onorato:

Point of procedure.

I guess for Councilman Udin, on that particular amendment, are we voting on these separately or are you going to vote on all of the capital together?

Mr. Udin:

There's one other Capital amendment and, then, vote on all the Capital.

Mr. Onorato:

Okay, thank you.

Mr. Udin:

Also, sponsored by Councilwoman McDonald is a transfer from Clean Paint Remark Bypass of \$7,500.00 to the Garfield YMCA, \$7,500.00.

Ms. McDonald:

I would like to amend this. It inadvertently reads the funding source as PDF, Pittsburgh Development Fund. It's actually just tweaking the one million dollar neighborhood needs money. So, Mr. Kunka had advised that the funding source should read General Fund.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Udin:

On the Capital amendments.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Udin:

Thank you.

If you go to the Operating Budget, the first amendment in the Operating Budget is an amendment in the Assistant Chief Building Inspection. This is a technical amendment. It was the intention of Council to limit all raises to 3 percent. This one was omitted by accident. It reduces the salary from \$57,034.00 to \$52,537.00. A net change of \$4,497.00, sponsored by all members.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Udin:

Thank you.

On the Operating Budget in the General Funds, Mr. President, these are the list so far of the grants and donations included in the General Fund.

Allentown Business Association, \$925.00; Animal Advocates, \$1,000.00; Arlington Civic Council, \$925.00; Arlington Meals on Wheels, \$925.00; BAAC Beechview Share, \$2,000.00; Beechview Community Council, \$2,000.00; Bloomfield Business Association, \$3,000.00; Bloomfield Citizen Council, \$10,000.00; Bon Air Civic Association, \$1,000.00; Brighton Heights Citizens Federation, \$2,000.00; Brighton Heights Meals on Wheels, \$2,000.00; Brightwood Civic Group, \$3,500.00; Brookline Chamber of Commerce, \$3,000.00; Brookline Chamber of Commerce/Autumn Moon Fest, \$2,000.00; Brookline Meals on Wheels, \$1,500.00; Carrick Business Association, \$4,925.00; Carrick Community Council, \$5,000.00; Christian Life Skills, \$10,000.00; Corporate Collection, \$1,000.00; District 6, \$25,000.00, yet to be allocated; East Carnegie Community Council, \$1,500.00; East Liberty Family Health Care Center, \$1,000.00; East North Side Action Committee Association, \$2,000.00; Family House, \$1,000.00; Federation of War Veterans \$4,450.00; Fineview Citizens Council, \$1,500.00; Frank Borrelli Aids Fund, \$5,000.00; Friendship Preservation Group, \$5,000.00; Gay & Lesbian Community Center, \$2,000.00; Goods for Guns, \$1,000.00; Grandview Lions, \$1,000.00; Greater Pittsburgh VHF

Society, \$1,000.00; Greenway Park Cooperative, \$2,000.00; Intestinal Disease Foundation, \$925.00; Lawrenceville Block Watch Network, \$3,000.00; Lincoln Avenue Church of God, \$1,000.00; Morningside Area Community Council, \$2,000.00; Oakwood Civic Organization, \$1,000.00; Observatory Hill, \$2,000.00; Open Door of Crafton Heights \$3,000.00; Operation Charlie, \$1,000.00; Phillips Park Advisory Council, \$1,000.00 Prince of Peace Parish Food Bank, \$925.00; Sheraden Community Council, \$1,000.00; South Side Business Alliance, \$925.00; South Side Meals on Wheels, \$925.00; South Side Slopes Neighborhood Association, \$925.00; Squirrel Hill Urban Coalition/Citizen Patrol, \$3,000.00; Squirrel Hill Urban Coalition/Newsletter, \$3,500.00; St. Clair Citizens Council Food Bank \$925.00; St. John Vianney Parish, \$925.00; St. Paul's Monastery Food Bank, \$925.00; Thirtieth Ward Knoxville Block Watch, \$925.00; Three Rivers Community Fund, \$1,000.00; Travelers Aid Society, \$1,000.00; Twenty-Ninth Ward Carrick Block Watch, \$1,925.00; Upper Knoxville Blockwatch, \$925.00; Zone 4 Public Safety Council, \$500.00.

African American Entrepreneur, \$1,000.00; Allderdice Band Parents Organization, \$1,000.00; Arlington Advisory Council (South Side Baseball conduit), \$925.00; Arsenal Board of Trade, \$2,000.00; Beechview Athletic Association, \$5,000.00; Belmer Elementary School, \$1,000.00; Bishop Leonard Athletic Association, \$925.00; Boy Scouts of America T572, \$925.00; Brighton Heights Athletic Association, \$2,000.00; Brookline Knights Youth Association, \$4,000.00; Brookline Little League, \$1,000.00; Carrick Cougars Hockey Club, \$925.00; Carrick High

School Band Booster, Incorporated, \$925.00; Champions Association, \$500.00; Elliott-West End Athletic Association, \$1,500.00; Fairywood Athletic Association, \$1,500.00; Fourteenth Ward Baseball, \$500.00; Fourteenth Ward Little League, \$500.00; Greenfield All-Star Cheerleading Organization, \$500.00; Greenfield American Legion Baseball, \$1,000.00; Greenfield Baseball Association, \$1,000.00; Greenfield Football Association, \$1,500.00; Greenfield Organization/Holiday Parade, \$2,500.00; Greenfield Organization/ Soccer, \$1,000.00; Hazelwood Little League, \$1,000.00; Hazelwood Midget Football & Cheerleading Organization, \$2,000.00; Hazelwood Pony League, \$1,000.00; Highland Park Community Club/Floral, \$2,000.00; Law Enforcement Officers Memorial, \$4,425.00; Lincoln Place Youth Association, \$1,000.00; Market House Children's Athletic Association, \$925.00; Morningside Baseball Association, \$1,000.00; Morningside Soccer, \$1,000.00; Morningside Vikings Football, \$1,000.00; Ninth Ward Youth Association, \$1,000.00; North Side Saints, \$2,000.00; Old Allegheny Athletic Association, \$2,000.00; Pittsburgh Dynamo Youth Soccer Association, \$3,000.00; Prince of Peace Athletic Association, \$925.00; Sheraden Baseball Association, \$2,000.00; Sheraden Slow Pitch Softball Association, \$2,500.00; South Side Baseball, \$925.00; South Side Market House Ceramics, \$925.00; South Side Sabers Youth Football, \$925.00; Stanton Heights Recreation Association, \$1,000.00; Tenth Ward Little League, \$1,000.00; Tri Ward Baseball Association, \$1,500.00; Washington Heights Athletic Association, \$2,000.00; West Pittsburgh Youth Football, \$1,000.00; Westwood Oakwood

Athletic Association, \$3,000.00; Windgap Chartiers Athletic Association, \$2,000.00; and YMCA, Hazelwood Outreach Program, \$3,000.00.

That completes the grants and donation. So moved.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

Finally, Mr. President, this amendment is sponsored by all nine members of Council. It reflects an agreement with the Council and the Administration to assure the hiring of 120 new police recruits in the year 2000. It reduces real estate tax by \$1,500,000.00 and it transfers \$1,500,000.00 into the Operating Budget from the Pittsburgh Development Fund.

So moved.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

That completes all the amendments from the Finance Chair.

Mr. Ferlo:

Thank you, Mr. President.

I would like to respectfully request the following amendment being offered by myself, Mr. Diven, Mr. O'Connor and Mr. Onorato.

It basically builds on the principle we just established in the vote that we just took. That is, basically, that it's Council's concern and intent, while keeping faith with the original intent of the Pittsburgh Development Fund, let's refresh our minds here.

Many years ago at the initial years of the Murphy Administration, we agreed, and I believe rightfully so, with the Mayor, that it was important to start a development fund. Again, this is prior to much of the tax increment financing development initiatives that we have since undertaken. But, our goal, at that time, in sympathy and in agreement with the Mayor, was to jump-start the economy, or to use the Mayor's term, grow the local economy. We did this through the discipline of not allocating \$7 million dollars in tax reform monies that this City's Operating Budget was to receive and, specifically, dedicating that money to what has become now known as the Pittsburgh Development Fund, an economic development fund, loan fund, that's administered by the Urban Redevelopment Authority.

The \$7 million dollars that normally would have come to the City Operating Budget to deal with structural obligations, operating costs, structural budget problems we were having at the time, we said we want to be disciplined enough not to expend those \$7 million dollars. The best way to do that is not only to direct them to the URA, but to create a development fund. That \$7 million dollars basically help to create a \$60 million dollar plus development fund as a result of a bond issue.

Since that time, the project has helped to initiate and sustain and support a number of important economic development initiatives by the Mayor and this Council. Since that time, in addition to the PDF Fund and in addition to the private corporate fund that was created at the time, this Council has significantly agreed to forego future tax revenues to the City Operating Budget in the form of tax increment financing in order to, yet, further our commitment to a number of economic development initiatives.

We find ourselves, seven or eight years later, with a structural real problem in the city budget. What the Mayor has agreed to today and what the clear majority of Council, is to utilize, at least, a million and a half of those repayment funds in order to deal with the cost of the City Operating Budget, specifically, the Mayor's commitment to want to increase the payroll with needed police officers. Something that this Council unanimously has supported.

It's in keeping with that philosophy and that principle that has now been established, it is the intent of this resolution, if it is agreed to, to be listed under the City's Operating 2000 Budget, under other authorizations. Basically, it would establish the commitment and the desire and the policy of this Council that notwithstanding any existing commitments and past loans that have been made out of the Pittsburgh Development Fund. It is our intent, beginning with this budget and into the future, to look at repayment funds going back to the PDF Fund as monies that should be redirected back to deal with the systemic structural real operating budget deficits that this Council and the Mayor has to struggle with each and every year.

Rather than read the whole resolution that is before it, it's the latter amendment that I just distributed to my colleagues. It ends, it is City Council's intention finally, by this authorization, to have all fund repayments go to the City's Operating Budget and to continue the diversion of Allegheny Regional Assets District revenues for repayment of the bonds issue to create the fund.

So moved.

MR. ONORATO seconded the motion for discussion.

Mr. Onorato:

I agreed to be one of the four co-sponsors on the bill. Again, I just want to reiterate that I think this goes in cooperation with what's been happening over the last two years.

To put things in perspective, I do want to point out that a year ago, if I'm not mistaken, it was Councilman Hertzberg who had an amendment to divert the \$1.5 million dollars of repayment into the Operating. There was a lot of discussion. Councilman Hertzberg agreed to, let's say, a compromise last year where the \$1.5 million would stay with the URA and not be diverted over and we would use that for capital improvements within our districts, \$150,000.00 each.

This year, the \$1.5 million repayment actually was in the budget from the Administration. So, there was a change of heart on the Administration's side to start putting the repayments back into the Operating Budget.

Now, we're at the third step of this debate. That is, we're moving, at least I'm supporting the move, to permanently bring back the repayments of the Development Fund. We all supported, I think it was unanimous, back in '94, to create the Development Fund to jump start some of the projects in the city and I think it worked. Now, we're at a stage where we have TIF financing that's in place that didn't exist back then. We have a lot of state and federal money involved with the Plan B development going on there. I think it's time to seriously look at the structural deficit. This is an opportunity to have an ongoing increase to the Operating Budget.

What this amendment does is two things. For the immediate response to the amendment, you get a million five or whatever the repayments would be annually into the Operating, which will help our structural deficit. In the long term, we're really, if we vote for this today, adopting a phase out of the Development Fund, not a termination of it. A phase out in that there are bonds that are outstanding and the \$7.2 million of regional assets district money that diverted this would still be diverted to pay for the debt service. At the end of the outstanding debt service where the outstanding bonds and the bonds are paid off, whenever that is, the earliest possible time that that can happen, the \$7.2 million diversion of the Regional Asset money would then come back into the Operating Fund which would be a significant help to the structural deficit.

I think this is a very prudent way to move ahead. I think the Development Fund did exactly what we wanted it to do. We have money coming in from all

different sources. We have a lot of projects happening right now. At the same time, we can now revisit the issue of the diversion and do it in a phase out period, which doesn't jeopardize any of the projects that are currently underway.

I would ask my colleagues to consider voting for this based on that prudent approach of the phase out as opposed to a termination immediately.

Mr. Diven:

I don't want to be redundant, but I did want to explain my support in being a co-sponsor for this amendment.

I believe, as colleagues are aware, that the Pittsburgh Development Fund initially was meant to prime the pump and get development moving in the City of Pittsburgh. Today, we're at a point, depending on who you listen to, we have counts as high as \$7 billion dollars worth of development happening in the City of Pittsburgh. At the same time, we are also facing year in and year out structural deficit to our budget.

This allows us to back away from priming the pump, which is already running a full steam, and divert our attention towards paying the bills to the City of Pittsburgh and doing it without raising any taxes or raising any fees. I think that was one of the most important things in my decision to be a sponsor of this legislation was looking at year in and year out, the Administration has called for a garbage fee. I could not justifiably support such a garbage fee, especially when we're diverting \$7.5 million dollars a year from reoccurring revenue that could go to the Operating Budget for a development fund when we're already

running at full steam and we do have a lot of development happening in the City of Pittsburgh.

What this amendment will do is allow us to recapture that money and give us a little more cushion in the year to come so we're not faced each year with the die or consequences that the Administration projects and the rationale to support a garbage fee or other tax or fee increases in the City of Pittsburgh.

I would hope that the rest of Council would be supportive of this because I do think it's Council's way of proactively stepping in and trying to fill the gaps in making the structural deficits in our budget less of ominous thing that the City has to face in years to come.

So, I hope you can support it.

Ms. McDonald:

Thank you.

I did not agree to put my name down as a sponsor, but I will be supporting this legislation simply because of the intent of it.

The reason for my lack of not being a sponsor is because we don't have enough information to make a real decision on do we want to squash the PDF Fund or not. I had asked our budget director what information did he have. He said, he was continuing to research. I said, do you have a list of expenditures of this, how was it used, has there ever been an audit of this fund? No, that I know of and not that he knows of and we're still getting the information.

Because we don't have enough information, I'll support the spirit of this. But, the intent is that the URA will discuss this and this will be revisited next year. There needs to be more information before there is any other subsequent legislation that would further dissolve the PDF Fund.

Also, and lastly I would like to say I do not feel as though that this may be the panacea, the end all, that solves our structural deficit. It may be one avenue, it may be one avenue, but it's not necessarily the solution. I would say that this is being supported to give a message to the Administration, we didn't like the proposal for the garbage fee, we do know that we have a structural deficit and it's serious, and if there isn't some type of movement to solve the structural deficit, it's only incumbent upon Council to do what it needs to do to try to solve it.

In dissolving something like this, this may only be a one shot deal. No different than a one shot infusion that we were criticized for, well they don't want the garbage fee, but they're going to do this and raise this fund. It's a one shot deal and it doesn't solve our structural deficit. But, nobody's talking about what can be done. Well, this is one solution that we need to investigate. It basically gets us off the dime, it gets the Administration off the dime and it gives us one year to be able to come up with something.

Hopefully, this may be a part of the solution, a large part. Whether it is or not, I think that it is good that we do know a little bit more about those millions and millions of dollars, \$60 million, we only put out \$70.5, we took out a bond. There's \$60 million sitting in some fund and it's called the Pittsburgh Development

Fund. We need to know how this was spent and what's going on with this money when we're faced with a \$20 million dollar structural deficit and there's \$60 million dollars sitting around. We don't even know if it's been touched, if people have, indeed, businesses have borrowed upon that, what are the repayments looking like, how much are the repayments? These are all questions that we need to look into at the beginning of the year.

For that reason, I'll support the spirit of this legislation. But, I would not ever support any further movement upon this fund until I have more particulars on the expenditures of this fund.

Mr. Udin:

Thank you, Mr. President.

First of all, I was not present on Council when the PDF Fund was negotiated. So, I don't have the history that some colleagues have. As far as this amendment is concerned, I also was not included or asked to be included as a co-sponsor. I'm just seeing the language of this amendment as we speak.

The points that Councilwoman McDonald just raised about what we don't know are all valid points. But, I would suggest, Mr. President, that those are reasons why we should not act. Those are not reasons why we should act. We can't support the spirit of this amendment without supporting the amendment.

I think that it would be premature to pass this resolution. I do agree that we do need to revisit the previous use of the fund, we need a full accounting of the fund, and we need to have a legal review of the cooperation agreement that created

the fund and that allowed the URA to disperse the fund.

This language orders a repeal of URA resolutions. I question the legality of, one, our authority to order the URA to repeal any resolutions that they have passed relative to this fund. I would also question the legality of the URA itself to repeal any resolutions that they have entered into that have caused other individuals or corporations to commit to certain legal agreements. It also orders that no further loans be executed relative to this fund. I am not certain that we have the legal authority to order the URA not to issue further loans. We don't know what commitments may have been made that are not yet executed.

So, I think all of these things need to be examined and investigated with a closed legal mind. But, I think it is premature for us to pass a resolution of this kind. This is not a resolution of spirit, as Ms. McDonald suggested, this is a specific resolution calling for the URA to repeal certain resolutions and not to issue further loans. That's not spirit, that's specific orders by this Council without the benefit of any legal analysis or any analysis of the cooperation agreement.

For those reasons, I do look forward to our discussion when we develop this agreement over the weekend with the Mayor's office on putting the \$1.5 million repayment from the Pittsburgh Development Fund back into the operating budget. Council and the Mayor agreed that at the first of the year we would have a council/administrative discussion of the past, present and future of the PDF. I would think that it would be more prudent for Council to await those discussions and

receive the benefit of the legal analysis before we pass such a resolution.

I will not be supporting it.

Mr. Ricciardi:

Thank you, Mr. President.

I fully understand and appreciate the arguments that have been put forward by the sponsors of the legislation especially when you look at the entire issue. One that we're in a very tight budget constraint over the last few years and the future looks very gloomy. However, at this time, such a major policy issue, I don't feel comfortable supporting the authorization before us since it only reached my desk a few minutes ago.

I recall several years ago I supported the Administration and the wishes of this Body in diverting up to \$7 million dollars of RAD money to the URA for the PDF. At that time, if my colleagues recall, I had some very legitimate reservations. I did support it at the end. But, I thought that we needed the \$7 million dollars in order just to perform the day-to-day services here in the City of Pittsburgh.

Once again, I'm looking forward to the discussion that will occur. I'm sure the Administration will review this and, possibly, veto this. I'm sure we're going to revisit this before the end of the year.

Thank you.

Mr. Cohen:

Thank you, Mr. President.

With all due respect to my colleagues who co-sponsored this amendment, I can't support it either. We've talked a great deal about the structural deficit over the last several months. I do believe it is a means of helping to resolve the structural deficit.

However, number one, we have not had anywhere near enough discussion on this issue. As far as I know, it did not come up in the budget deliberations of any kind. We really haven't had any examination of the Pittsburgh Development Fund, what actually the funds have been, how successful they have been, or how much this would bring back into the Operating Budget. That public discussion, I think, is necessary before going ahead with an amendment like this.

The second thing is, the Pittsburgh Development Fund has been extremely successful. It's been successful, in my view, in rebuilding Pittsburgh. Before we terminate that fund, at least, I, as one Councilmember, have to see what's on the table, what is planned, and how this will effect those projects before actually moving ahead to terminate it.

The third thing has already been brought up here is that I don't believe we have the legal authority to order the URA to do anything because it's a separate entity created by state law.

I commend the sponsors for coming up with a proposal to help to resolve the structural deficit, although it doesn't fully do that. But, I do not believe this is the way to go and I certainly don't think this is the time to do it. In all the budget meetings that we had, this never came up. I think that Council needs a lot

more information before going ahead with this.

Thank you.

The Chair:

I believe one of the reasons it probably didn't come up is because the \$1.5 million, which the Mayor's people asked last year to go into the community which we agreed to, next year we were presuming it would go into neighborhoods. Now, the deal is if you don't give us back this money for operating expenses, then you won't get your budget, or you won't get the police, the threats.

Let me refresh a couple of memories. We all supported this initiative. It was very positive. It was going to be a partnership with us and the downtown businesses, corporate leaders. I know the corporate leaders. I don't know if they came to the table yet. But, they certainly a year and a half later were not there so we can certainly audit that.

The other thing is the major agreement, I can speak for Jim Turner who was the previous budget director for the Mayor's Office, said don't do this, you need this money to pay your bills. The only reason I called a hearing and I had a post agenda hearing, and they showed us all, and I have a tape of it, all the expenses they would trim and all the revenues they would bring in to have a balanced budget. Therefore, we could release this \$7.5 million dollars a year for many, many years to come.

We also took a hit on the amusement tax, it went from 10 to 5. So, this money, I feel the agreement has been

broken when you say you're going to charge people garbage tax. Before I do a garbage tax, I'll take this money back and give it where it belongs to who's paying the bills which was always a part of the agreement.

Again, we can touché and we can congratulate all those developments that most of us support and we jump-started the city. Now, it's a chance to pay bills. This money was meant to pay bills. When they went to Harrisburg and lobbied for the RAD money, \$15 million dollars was going to come back to the city. By the way, we took a hit on the amusement tax. Fifteen million dollars to pay bills. And, that was \$7.5 million extra to go out and float bonds and do interest for Lazarus and all the things that are going on. I don't know how many went on in our neighborhoods, but, most of it was downtown. The agreement was to have a balanced budget and they got their money.

They haven't lived up to the agreement. I think the garbage tax in place of this is a fair swap. We should not be passing a garbage tax when we have money that was meant to pay our bills whether it be police. I don't like the idea of always picking on police, there's secretaries, there's truck drivers, there's 160 jobs out there that have to be filled and this budget fills those jobs.

Final word, Mr. Onorato.

Mr. Onorato:

Your points are well taken, Mr. President and I'm glad you brought those forward.

I do want to also point out just to remind everybody, when we voted for the development fund, in addition to what Council President O'Connor just said, there was also a condition that the end game was we were not going to raise taxes, we were going to grow the city. The thinking being that as we developed, we would increase the tax base. But, something happened along the way to that grand plan. It's not a criticism, it's just that the law changed. That is, we took the increases in revenues and start TIFing. That would have been coming back into our general fund, but the TIF legislation was passed and it became a new way to finance projects.

So, basically what we did was we grew the city and halfway through the plan we decided to take that growth and throw it back into development. So, I think it's very logical at this point now that we're taking the growth for financing that you'd take the Development Fund and bring it back into the operating because we are not growing the city in the way that we're taking the revenues back into the operating fund.

So, we're going to do TIF financing, which all of us supported on certain deals, let's take the Development Fund back in. It did exactly what we wanted it to do, it jump-started this city when we didn't have TIF financing. Now we decided to move toward TIF financing. So, the way to get the growth back to the operating is to take back the diversion that we established in '94.

I think it's a prudent way to go. While we say that it was never on the table, let's be very clear it was on the table last year from Councilman Hertzberg, the

\$1.5 million and it was on the table this year from the Administration, the \$1.5 million to go into operating. Now, we're just taking it the next step and that is let's look at the overall picture to make a statement that we want this to come back.

Let me be clear. While I agree with my colleagues that we do not have the legal right to tell the URA what to do, they have to take legal action in addition to this vote. There's over, in this capital budget right here, there's over \$5 million dollars of city bond money being approved today to the URA, from us to them, and another several million in CDBG federal dollars. Every one of those pieces of projects and money in this budget has to be re-approved next year by all of you, I won't be here.

So, the URA needs us and we need them. It's not a one-way street here. If they want to keep operating and doing the development, we have about \$7 to \$8 million dollars in approval right here that they have to come to this table. They don't want to talk about it, we could shut the door also. So, this is a two-way street of development that we work together. I think, at this point, how this played out over the last five to six years this is the way to go to help the structural deficit, not to implement a garbage fee.

Mr. Ferlo:

I just want to thank my colleagues for the majority support for this amendment. This amendment is physically sound, it's financially fair and it's not funny money.

Thank you.

The Chair:

Again, I will echo one more thing on this \$7.5 million dollars. I believe this is the first step in avoiding a collision with a garbage tax next year or any other kind of tax. So, we better start now and not next November which seems to happen around here, at least the eight years I've been here.

Any further discussion?

Roll call vote on the amendment.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. O'Connor (Pres't)

NOES:

Mr. Cohen	Mr. Ricciardi
	Mr. Udin

AYES Six NOES Three

The amendment passes.

The Chair:

Any other further discussion on the budget or any other bills?

Mr. Udin:

Yes, one more motion, Mr. President. That is to make all of the budget bills effective January 1, 2000, Bills 2320, 2321 and 2322.

So moved.

MR. ONORATO seconded the motion.

Mr. Ferlo:

Just very briefly. In voting finally on both the Capital and Operating Budgets, I just wanted to point out and thank my colleague for the leadership, in particular, we began a process at the request of Mr. Hertzberg, Mr. Onorato and certainly others spoke eloquently about the needs for the asphalt program. We increased the initiative this year and as my colleagues have pointed out, that has resulted in a better-looking city including the fact that we can get around more safely in our vehicles and with pedestrian activity. This budget attempts to maintain an increased level of commitment towards street resurfacing.

Secondly, in addition to the neighborhood needs initiatives, and I noticed a number of colleagues and I noticed Councilwoman McDonald, as part of her neighborhood needs initiative budgeted over \$200,000.00 for demolition of badly needed bad structures and units in the community that she represents. But, this overall budget, as a result of the majority vote, increased the capital budget by, at least, \$1.5 million dollars to catch up on a lot of badly needed demolition work of condemned structures.

We have, in my district alone, several hundred condemned structures. We have specific information, a list from the Garfield Community is just one example of over 50 officially condemned probably 70 or 80 condemned houses. These houses are unsafe, they're fire hazards, and these houses are used for

crack activity. We have individual homeowners that are burdened with living next door to a condemned structure. They have actually lost their own fire insurance for their home.

So, this budget, in addition to the neighborhood needs initiative, does try to redirect or reprioritize a number of capital and operating budget line items to redirect some attention back to neighborhood needs kinds of program activities while keeping faith and maintaining the safety net of services under the Hunger Trust Fund in various programs that have become known as the safety net under the City's Community Development Block Grant allocation.

So, I want to thank my colleagues for their support, obviously, and their leadership on all those different things.

Thank you.

The Chair:

The bills are now ready for final action --

Mr. Hertzberg:

Briefly, Bill No. 2355, regarding the warrant to Just Ducky Tours, I just want to have my comments brought forward on that.

(See Addendum for Comments)

The Chair:

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll.

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

The bills including the budget have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 2370:

Report of the Committee on Planning, Zoning and Land Use for December 15, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

Bill No. 2228:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the former Lawrence Paint Building located at 2214 West Carson Street, 19th Ward, City of Pittsburgh, Council District 2. (HEARING HELD DECEMBER 8, 1999.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Hertzberg:

Mr. President this is, I believe, the only bill that was read, was the Lawrence Paint Building because of the negative recommendation on that. First I'd ask that my comments be brought forward from the meeting on Wednesday.

I'm not going to go into a long discussion. I think all of Council is very familiar with this issue. I believe it was a unanimous no vote at the Standing Committee's meeting last week. I would ask for all the same reasons that I've repeated at both the public hearing and at the meeting last Wednesday that everyone continue to vote no for this. It's an unfortunate situation, but there really is no choice here but to vote no on the historic designation proposal.

(See Addendum for Comments)

Mr. Ricciardi:

Thank you, Mr. President.

I'll be following the lead of Mr. Hertzberg and his leadership on this effort. I'm not sure if I consider it an unfortunate situation because I think it's going to be very bright for the future. I think Mr. Hertzberg has put a lot of work into this.

On a related issue, though, Mr. President, regarding Forrest City

Development Company, it's just a pleasure working with these individuals. They've been to Council several times now. They're very professional, very articulate, they present their argument in very detail and they show a lot of courtesy and respect for this legislative body. I just wish all developers would take their lead and their role in how to deal with City Hall.

Thank you.

Mr. Ferlo:

I'd like my comments brought forward. My no vote today is not a no vote on the historical designation of the building because I do believe, after reviewing the testimony and the recommendation of the Historical Review Commission, that indeed this building does meet a number of criteria established for historic designation. My no vote is explicitly on basically an evaluation after hearing the testimony of the economic hardship associated with this structure. That element and that criteria is part of the historic designation ordinance.

My no vote is not a no vote on whether or not the building meets historic standards. I think it clearly does. The ordinance provides for an evaluation by this legislative body of economic hardship associated with any structure that we are about to deem as historic. In the case of reviewing the economic hardship associated with this building, it is in that context that I'm voting no.

Thank you.

(See Addendum for Comments)

Mr. Cohen:

Thank you, Mr. President.

I would also like my lengthy comments of last week, to be brought forward on this bill.

As I said at the beginning of this process with respect to the historic designation of the Lawrence Paint Building, that my initial view is to designate it historic unless we get a very strong, compelling case not to. This is one of the few cases that I can remember, certainly in my tenure on Council, where a strong compelling case has been made. It would cost millions of dollars not to just renovate this building, but just to get this building to a point where it could be renovated.

No one has come forward to do that in decades including the decade in a half that the Pittsburgh History and Landmarks Foundation, which is the premiere historic preservation organization in the City of Pittsburgh. They owned this for, I believe, 14 years and didn't try to save this. As difficult a vote as this is, I believe it's necessary in order for economy development to occur on that site.

(See Addendum for Comments)

The Chair:

The bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably, and were:

NOES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES None **NOES** Nine

The Bill 2228, having failed to receive the legally required number of votes is defeated.

Also, with an affirmative recommendation.

Bill No. 2334:

Resolution amending Resolution No. 637, approved July 27, 1984 entitled "providing for implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "E". Which was read.

Also,

Bill No. 2335:

Resolution amending Resolution No. 637, approved July 23, 1986 entitled "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "G".

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

The bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I would like to bring up Councilman Udin, Chairman of Finance, to give a budget address. Again, thank him on behalf of all our colleagues and all the people of the City of Pittsburgh for all the hard work

he's done especially, I know, in the last couple of weeks although that's a job he does all year round.

Mr. Udin:

Thank you, Mr. President.

First of all, the budget this year was a frequently continuous process often acrimonious, unnecessarily in many instances. It's an unfortunate aspect of, I think, the relationship between Council and the Administration which I think the city can do without. But, it's a very difficult process.

We have a budget for the year 2000 that has increased over the '99 budget by \$16 million dollars. So, we can see the extent to which the budget continues to grow. The expenditures of the city continue to grow, but the revenues of the city do not grow. We're offering a budget of \$350 million dollars. Even though Council reduced that budget by the original budget offered by the Mayor's office by \$2 million dollars, it is still a challenge to come up with sufficient revenue to support a constantly growing budget, now up to \$350 million dollars.

It is not easy and there's no painless way to achieve it. There are many things that had to be done in this budget in order to balance the budget. Some were very distasteful, but we managed to do so. We managed to come up with sufficient revenues to pass this large budget without raising taxes and without laying off city personnel.

In addition to that, we have passed a budget that assures the hiring of all 120 proposed police officers within the year 2000. One class will begin in January and

other classes will be completed throughout the year. I think that's a major achievement on the part of Council. It required some agreement and negotiation and discussion for which I thank the Administration.

We have agreed to provide in the Operating Budget revenues, the \$1.5 million dollar repayment from the Pittsburgh Development Fund as an ongoing revenue source and it should be. As all Councilmembers have discussed today, Council is intent on revisiting the entire Pittsburgh Development Fund to see how much of that fund can be put toward the structural balancing of the budget.

Our budget, for the third time, rejected a garbage tax. Despite the fact that it's called a fee, it is a tax. People would not have the option to use it or not use it, everyone would have been charged and, therefore, it would have been a tax. The public is clear that we have not made the case for such a tax. They have rejected it and Council rejects it. I hope, for the last time we will have this discussion of the garbage tax.

The city fiscal system is littered with non-functional trust funds. The Administration took the heeding of Council and eliminated 41 of those trust funds. Council enlarged that number by an additional eight trust funds. But, it still leaves over 100 trust funds still in existence, which we will be examining very closely in future months to determine whether or not those are trust funds that need to be kept.

We balanced the budget through the deletion of certain trust funds, through increasing the beginning balance and by

adjusting salary vacancies throughout the year. We also made sure that the Capital Budget reflected a focus and a priority on neighborhood needs. There were a number of steps taken by Council during the course of the year that focused on neighborhood needs development. The repayment for \$1.5 million for 1999 was divided into 9 council districts and the Mayor's office to focus on neighborhood economic development. Another \$10 million dollars was allocated for the year 2000. It will be divided by all nine council districts and the Mayor's office. Again, with a focus on neighborhood development.

The Capital Budget increases revenues for demolition, and for lot clean-up, for street resurfacing, all focusing on neighborhood quality of life.

The budget is cash balanced, but it is not structurally balanced. We have pieced this budget together with a lot of one-time funds and with savings in various accounts and piggybacks. But, it's like a person walking around with a suit that is much too small. You can either say that you're arms and legs are too long or the suit is too short. In either case, it does not fit. The budget of this city does not fit the arms and legs of this city. I hope that this is the last time that we get a budget from the Administration that does not, in a way that is worked out through discussions with Council and the Administration, that does not make the hard choices of structurally balancing the budget. Either the arms and legs have to be extended to meet the ankles and the wrists or some surgery is necessary. But, we have to structurally balance this budget if we are going to be the caretakers that we were

elected to be. I don't think we can avoid these decisions any longer.

Finally, just let me say as a personal indulgence how much I appreciated, in the last two sessions of Council, serving this Council and the public as the Chairman of the Finance and Budget Committee. I can't imagine a university education that would have educated me in municipal government more thoroughly than I have been educated in this process. It has been a joy working with Linda Johnson-Wasler and John Mascio, and all the members of the City Clerks Office. They worked very hard and deserve our appreciation as well as all of the staff members who work for all members of Council. Give them a hand.

I also want to finally acknowledge the tremendous competence and dedication of Scott Kunka and the Budget Office that works for Council. They do tremendous work, they put in long hours, they are seriously committed to their jobs and they do a very professional job. I'd like to please acknowledge Scott Kunka and the Budget Office.

Again, it's been a pleasure working for this Council. I turn the chair back over to our President.

The Chair:

I know starting Saturday afternoon until late last night we were talking. This gentleman works very hard. I want to thank you for all your work again on behalf of, not only Council, but the people of the City of Pittsburgh.

Ms. McDonald:

Briefly, two items.

Tomorrow, December 21st, is the last day for donations for Corporate Collections. I'm hoping that everyone remembers to think about those that do not have the clothing to get back on their feet in terms of having a job in which they would need suited up. Tomorrow is the last day. It's over by the bin. It's over on the Ross Street side. I'll probably do this again in the spring because many people clear out their clothing for the winter. But, springtime is another time for cleaning out. So, I may do this again.

Also, I do want to commend Triangle Messenger Service. Just last week, I received a letter from them showing how they are complying with this ordinance that we had debated on the bicycle messengers going through in and out of town.

They have created ID cards and tags. In fact, their ID card has the name of the company, the name of the rider, the rider number and they carry it with them. As another point of accountability, they also have to sign off that they have, indeed, received this identification, they know about the law while they are working and that they understand that the ID tag must be placed on their helmet or back where it is visible. They made a couple of the actual ID tags they'll have. It will be TM, Triangle Messenger, and their number. I also noticed that they are uniformed.

I'm very impressed with what I see so far and I think it benefits downtown. Instead of seeing just renegade bicycle people all over the place that there is some type of uniformity that people know and they can easily identify that that's just not

any old person, that's a messenger. I encourage Mr. Jones, who was out of town and I couldn't talk with him, I applaud him but there is still one renegade. He still went the wrong way down Fourth Avenue, I'm pulling up and he zipped right out of there. So, it's the rascal that needs to be caught.

They do a good job and I will be talking with Deputy Mayor Sal Sirabella to follow up with a phone number which they can register their alpha numeric plates. If I don't get cooperation from the Administration, I would just tell people to call the Mayor's complaint center if you have any concerns or problems. But, I will be working with Deputy Mayor Sal Sirabella who's been working very well with me in finalizing all this. I will go after the smaller messenger services because I don't care how big or small you are, accountability is accountability. This didn't take a lot of work and a lot of money. I think that every messenger service should hold their (inaudible) list accountable to the general public who needs, also, navigate through the downtown area.

Mr. Ferlo:

On a separate matter very briefly, Mr. President. I know we did not bring in the staff and the volunteers that are part of the First Night Celebration to be held here in the downtown, North Shore and surrounding community. When I was coming in today and listening to the radio, Jack Wheeler had an announcement about the Science Center having a First Night activity. I think their event starts at 10:30, there's parking, it's a great family thing with kids to be able to go onto the roof of the Science Center and look at the

fireworks. They're having Omni Max theater show, special science projects, that's just one of, apparently, hundreds of events.

While we did not bring them in, maybe next year we should correct it. I think we do owe a big thanks to the staff and certainly the thousands of volunteers that are being recruited for First Night. I know Councilman Udin has been active, to his credit.

It just seems to be a great family event. Individuals will be downtown. It's going to be a great, safe night. It's a non-drinking event, non-alcoholic event, which I think is great. I think the city will really shine the night to the credit of the Mayor's office, to the First Night committee, to the volunteers, whoever's involved, just a big thank you.

I don't have the number handy, but I know they have a website so you can get a listing of all the events. I think every public and private building in and around the downtown has some type of an activity. It's culturally diversified. It's just a great activity to the credit of the City, the Parks and Recs and all the folks who worked on it.

Maybe next year we can get them in there and do a little more promotion on it. I know there's just a few more remaining days for the \$10.00 and \$5.00 buttons at Giant Eagle and other stores. I think the price goes up later on this week. So, I just wanted to put a last minute plug in, but mostly just to say thank you to a lot of great volunteers that are going to make Pittsburgh really shine that evening.

Thank you.

The Chair:

Tomorrow's regular Standing Committee Meeting will be at 10:00. That will be that final meeting. Our last meeting of Council will be next Tuesday, December 28th at 10:00 a.m.

I realize, as a Body, we'll have some comments as our last meeting, but Councilman Hertzberg will be out of town. I want to thank him for all his hard work especially on the URA Board and the Public Works, which is a challenge. I think he's really lived up to it.

Again, I want to thank all of you for your hard work. Again, this is our last meeting until Christmas. I want to wish everyone a very, very merry Christmas and we'll have a happy New Year next week.

Any other discussion?

Hearing none, we'll ask for approval of the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Can I have a motion to adjourn.

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill No. 2355 can be found in the Standing Committee Meeting minutes of December 15, 1999.

Mr. Hertzberg's, Mr. Ferlo's and Mr. Cohen's comments on Bill No. 2228 can be found in the Standing Committee Meeting minutes of December 15, 1999.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, December 28, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you.

Mr. Onorato:

Mr. Diven and I are going to recognize some of the sports teams from the B.I.G. League, if they could all come forward now. We have two teams from Northview Heights and one team from Brookline and Troy Hill is here also.

Mr. President, this is my last proclamation and I figured we'd end it with two North Side teams down here. So, we end it the way we started it. We do have a Brookline team here, too. We don't want to slight anyone.

Mr. President and colleagues, Councilman Diven and I put together this proclamation to recognize the teams in our districts. This really is a proclamation for all the teams that participate in the B.I.G. League organization throughout the City. I'm going to read the proclamation and, then, we'll hear from Councilman Diven.

PRESENTATIONS

No. 2372 WHEREAS, the B.I.G. League Staff of Citiparks (Lou Polito, Sam Mastromatteo, Charles Saunders, Helen Piso, and Mike Denham) run the Citiparks N.F.L. Flag Football Program; and

WHEREAS, programs such as these are a valuable tool for offering alternatives, education, and support for our young people; and

WHEREAS, this year's program consisted of 310 participants on 22 co-ed teams, the age groups were 9-11, 12-14, & 15-17; and

WHEREAS, the participating communities were Arlington, Bloomfield, Brookline, Cowley (Troy Hill), Hill House (Hill District), Market House (South Side), Northview Heights, Ormsby (South Side), and Warrington, and;

WHEREAS, The 1999 Champions are as follows:

9-11 – Northview Heights
12-14 – Northview Heights
13-15 – Brookline; and

WHEREAS, Northview Heights won all three age groups in 1998; and

WHEREAS, Northview Heights is coached by Recreation Leaders Gary Nolen & Gilmore Cummings, and Brookline is coached by John Ladasky.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend the staff, coaches, parents and athletes who participate in the Flag Football Program, for their dedication and hard work in making this worthwhile program a success.

MR. RICCIARDI moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Onorato:

Let me just add, I want to thank all the young people here today for participating, congratulate Brookline first. Then, I also want to congratulate Northview Heights for the two wins this year plus taking all three last year and representing the North Side well. Everyone watching from Northview, congratulations.

We're going to hear from a few of you after Councilman Diven says a few words. If somebody wants to decide who's going to be the spokesperson from the team because I would like to hear a few words.

Mr. Diven:

It's a great honor for me to share the last proclamation with Councilman Onorato on his last day here in Council. So, you guys are being part of history here. This is our Controller and he's going places.

I would like to, first of all, congratulate the CitiParks staff for doing a wonderful job. They do it in a number of different programs throughout the year; the B.I.G. Leagues Flag Football program is only one of them. It's one of the reasons why the City of Pittsburgh is such a great place to live. It's because we have dedicated full-time people that put in the kind of resources and the kind of effort day in and day out to really provide opportunities like this. With that said, I'd really like to take my hat off to the people from CitiParks. It's a fantastic program and we're blessed with some very, very good employees.

Also, I'd like to congratulate the teams and the coaches. Of course, I played football in high school and college and I know what it's like to be a champion. I played for Brasher High School and we won three city championships. So, being a champion is something special and it's something nobody can ever take away from you.

I would like to thank you guys for coming down and commend you on your great work especially the coaches for putting the time in and taking an active role in helping kids get some positive role models and do something productive with their time.

So, congratulations.

Mr. Onorato:

How about Louis Simms (inaudible) first. Do you want to make a comment about B.I.G. League and then we'll hear from the teams or the coaches.

Mr. Simms:

Hi everyone. I'd like to thank, first of all, the City Council for the honor for the kids here. Also, Mayor Tom Murphy for his initiative on back in 1994 to start the Pittsburgh B.I.G. League Program through CitiParks.

We started in 1994 with 300 kids and baseball only. Now, here we are three years later with 8,000 kids and a variety of sports. As you can see NFL flag football, hockey, city-wide soccer, and, of course, our baseball and softball program is probably the premiere baseball program in the tri-state region.

I would be remiss if I didn't mention the fact that the CitiParks staff, starting with our Director, Duane Ashley, who supports us day in and day out; Sam Mastromatteo, my partner in crime; Helen Piso; Charlie Sanders who is here, he's the coordinator of the Flag Football Program and he does a wonderful job; and Mike (inaudible) as well.

Gary Nolan here, I just want to say a word about this guy here. He's been a coach up there in Northview. A lot of times you guys will hear things that are bad things that are happening up in Northview Heights. Gary Nolan is the reason that good things are happening up in Northview Heights. For the last three years his teams have won, out of nine championships, they've won eight of them.

He is the guy who brings them all together up there. He's the guy that works with the kids. He takes his own time and works with the kids. It's guys like this that encourage our youth in the City of Pittsburgh to settle the disputes on the playing field rather than on the street corner. I think that we all can learn a lesson from this guy here. Gary, we thank you from CitiParks and Pittsburgh B.I.G. League and we appreciate your efforts. We hope that other folks in the City of Pittsburgh and other people that work with you that they can take a page out of his book and really learn to work with our youth.

Thank you very much.

Mr. Onorato:

At this time, do any of the coaches want to come forward rather than have a player, to say a few words?

Mr. Conden:

My name is Keith Conden and I played flag football for Northview Heights. We're just glad to be champions.

I want to thank all the people who participated in making this possible for us. If we didn't have these people, we wouldn't have nothing else to do except what you all see on the news and it's bad.

I want to thank Gary because he said he was going to give us McDonalds.

You only see a few here, but there's a lot more that participated in the flag football and there was a lot more champions so you'll be seeing a lot more of us.

Mr. Onorato:

We saw the coach steal your note and you did a great job without that piece of paper.

How about the other team here from Brookline, does anybody want to say a few words; any of the players or coach?

Ms. Trapolsi-Underwood:

First of all, I'd like to thank Parks because they've really gone out of their way to make this happen for our kids. They supported us, they backed us and they paid for it. Thank you very much.

I'd like to thank our children and their parents because the parents really pushed the children into being active participants in these programs and they've supported us in that. Our boys and our

young men have done great. Thank you very much.

Our quarterback is Justin Philips. We have to mention him because he was really our backbone. John Ladosky who's no longer with us, we miss you John. You did a great job and we're hoping you come back and coach next year.

Mr. Onorato:

Does anybody else want to say anything?

The Chair:

At this time, we will take public comments. Anybody wishing to address Council has three minutes to do so at this time. Please state your name and address for the record. Also, for the record, before you start, starting next year all public comments will be at the end of the meetings.

PUBLIC COMMENTS

Ms. Lang:

My name is Dorry Lang. I reside at 3915 McClure Avenue, Pittsburgh 15212.

It was January 6, 1992 when I walked on the 5th floor for the 1st time. Eight interesting years of City Council has prompted me to read this rhyme.

It was then you met Dan Onorato, I think the best Councilman the City's ever seen. Now, he's going across the street to join the County's Team.

Getting to know Council Members these past years has been an experience I'll

never forget. It's been the most interesting and entertaining job that I have held as yet.

Each Councilman is unique and talented, all special in their own way. I can't list all of their accomplishments, we'd certainly be here all day.

Let's take Dan Cohen for instance, he looks out for the City residents in many ways. Playground safety, operation red preservation, you know him he usually wears blue shirts on meeting days. He also looks out for city workers by sponsoring several laws. Job sharing, benefits and ethics with Dan's work, it's hard to find flaws. Dan's pretty quiet, you can't always tell when he's around except for when someone makes popcorn, then he appears in leaps and bounds.

Then, there's Michael Diven, he's still the new kid on the block. He's the king of karaoke (he thinks), whether he sings jazz, country or rock. He does have his own office, although you'd never know it dropping by. For some reason he's never in it, he's always in ours and we don't know why. Now, he wants to move on to bigger and better things, like maybe being State Rep for instance, who knows what that would bring.

Alan Hertzberg's day begins before most of us are awake. He's the marathon runner on Council and it's rare that he takes a break. Alan's here to remind everyone that the City does have a West End, his district is the forgotten part of the City, but he's working to reverse that trend. Not that Alan hasn't always looked dapper, he's always been neat and pressed. But, it's only since he has been married that he's in the running for being best dressed.

Valerie McDonald is one of several East End Reps, her district includes East Liberty and Homewood. She's very popular in her district, if she wants, she can have that seat for good. Not only is she always dressed to kill, but Valerie has a warm heart, too. She looks out for the youth, seniors and animals so we can overlook her being late for a meeting or two.

Gene Ricciardi, aka, Eddie Haskell, is the best advocate for the South Side by far. He can drive home a point better than anyone I know, but he cannot drive a car. He spit shines his desk nightly, serves ice cream to the seniors on certain days. Instigates quarrels between his colleagues, then he turns around and walks away. He has the best attitude about work, he knows just when to relax. He doesn't take himself or his job too seriously, and when he argues a point, he always has his facts.

Sala Udin has the most diverse district, it can't be easy to represent. On top of that, he takes on controversial issues, Civilian Review Board, Pittsburgh Works and Police Decree by Consent. For two years, he served as Finance Chair, he runs the meetings just right. He treats everyone professionally, whether Colleague, Director or Maglevite. Although now that Onorato is leaving, you can't blame your cigar smoke on him. You'll have to find a new scapegoat, may I recommend Mike Diven.

Bob O'Connor is Council President, in local politics he's a player. Not only is Bob "US," but he might also some day be Mayor. Bob is always shaking hands, he has a smile on his face

all the time. Mention anyone's name at all, he'll say, "He's a good friend of mine." Stop signs, crosswalks and gun locks, our dogs we'll be untying. He's the only one I know who could become council president without even trying.

Let me see, I think that only makes eight, which means there's one more to go. With his experience and history on Council, there's no way I could leave out Ferlo.

Jim Ferlo, senior member, spokesman, extraordinaire; originally came from the City of Rome. Residents of this area are truly lucky that for decades now, Pittsburgh has been his home. I know for him the ideal life would be relaxing with a glass of wine, listening to Sinatra CD's. But, unfortunately, we live in the real world and must answer to constituents and CDC's. Your speeches have sent me to the dictionary more times than I care to mention, I still don't know if those big words you use are real or just your own invention. You never say what's really on your mind, usually you're very shy, except when questioning directors or bellowing "swim free or die." All kidding aside, when it comes to the City residents, you're diligent and work very hard. About you we could never say, we could hoist you on your own petard.

Now I have to summarize, my time is just about done. I don't just mean speaking time, but also my tenure here of work and fun. As I make my way across the street, just wanted to say this before I go, working with you all has been a treat, you've taught me more than you know.

Good luck to all of you in your future endeavors, I wish you well in all

you do. That goes for Council Members and their Staffs, City Clerk and Clerk Staff, too.

Mr. Graham:

Good morning to each and every one of you all.

My name is Chuck Graham. I reside at 7039 Lemington Avenue, Pittsburgh.

I'm here again for the last time this year to continue to speak for an idol mind in the devil's workshop. I am continuing to ask Councilmembers, which I have been watching you all in the evenings, and I thank you all for allowing people to be able to see how you legislate the city business. I enjoy it and you're doing a very good job.

I must give you and tell you this. Since I retired from the Pittsburgh Housing four years ago, I've been taking this camera around with me on jobs. I want you all to know that I don't go around looking for jobs, but I've found, and I'm hoping that this will be the last time I say this, that I don't know where the young black men are. All of these jobs that I go around looking at, even in the URA signs, I don't find them and I don't see them.

When I interview them, I find many of them who say, well, they tell us to keep drugs out of our body and liquor, but now if we have a police record, they still won't hire us. I'm asking you all, somehow and some way to allow these young people to come into these jobs and job training. I'm not asking you to allow them to come in there if they're high or drunk. But, if they have drugs in their

system, give them an opportunity to work it out some way, somehow. An idol mind is the devil workshop.

I have sent our ministers in the community to come before you to speak, but they are unable or won't. I'm going to still challenge them and I'm going to still pressure them.

Next year, I'm going to watch you all and hope for the best because we have a long way to go.

Thank you.

Ms. Urquhart:

Good morning, Council.

My name is Dorothy Urquhart. I reside at 5811 Penn Circle North, East Liberty, P.O. Box 5491.

Well, for one thing, Christmas Day I hope everybody enjoyed it. I was defrosting a pipe that had frozen, my cold water had frozen, so that was my Christmas day.

The reason that house is in the shape that it's in is because of Dennis Davin and Larry Landy at the URA who allowed their inspectors to pass work that was not did. Someone has to be held responsible for this. Dennis Davin and Larry Landy who are heads of the Urban Redevelopment are the ones responsible for my money being gone and my house left in such an unbelievable condition.

The URA was paid to oversee the work and the money. The Urban Redevelopment has their own inspectors and the City inspectors were involved also.

They knew of the sham that was going on. One of the first things in remodeling is securing the roof. Yet, my house has had no rain spouts, my house has been left without rainspouts since 1991. All the rain is going under the house and into the basement. Anyone can come by at anytime at 5811 Penn Circle North and see that house was sabotaged by the Urban Redevelopment. It was not renovated as I am paying for.

The scamming of four people out of their home and their money must stop in this City. People's hearts are hardened like Pharaoh's heart here in Pittsburgh. They do not believe in the Creator. The Creator is the same today as in Moses days. I am praying for a miracle that the truth must come out and be spoken by the ones that are guilty. Stop making me pay for something that I never did have and I did not have the renovations that I am paying for.

I must also ask that they stop me from paying, somebody step in, and stop where I have to pay \$600.00 a month for renovations that were never did. Someone has to hear my cries. City Council it is you to push the Mayor to do something about what is happening with the Urban Redevelopment. There's different branches of the Urban Redevelopment. The Urban Redevelopment, that branch which is over, the poor people overseeing their money and their home repair, something has to be done so that the people who borrowed the money to renovate their homes get what's supposed to be did.

I'm tired of suffering and nobody hears me. I've been coming down and I'll be coming down again.

I will wait until after the end of each hearing if that's what it takes because my cause is a serious cause. I'm cold out there, it's serious. I'm not playing. I have heaters and everything else, gasoline in my home. I shouldn't have to live like this. I worked hard to make a home for myself that it would be safe and, yet, I have to live like this. City Hall you don't hear me. Pharaoh's heart was hardened, too, but my God softened it and my God will soften your hearts.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street.

I come today, I'm saddened because a teacher for the Pittsburgh Public School System, Cynthia Greene, has passed away.

I talked to some of the young fellows that were on the teams. The one white fellow said that she had been his homeroom teacher. The other one knew her as teaching Afro American History. I met Cynthia Greene at Milliones Middle School. She was very dedicated to our children. She was just like those people that brought the children in here today. So, to her family, I would like to read something.

It says, Dear Talka, Dorian and Makia, my sincere sympathy for the loss of the person closest to us. One of the few people with such an abundance of love and care. I am counting on you Talka, Dorian and Makia to remain strong. Her contribution to the enrichment of our lives will remain a permanent and uneraseable chapter in all our lives. Nothing will ever

fill the void left and the pain we endure in our hearts. We may take comfort in knowing that her suffering has been taken away from her and she now resides in a better place. All we can say is, God, thy will be done. This is from their Uncle Martin.

As a parent who worked with her and talked with her, I can speak first hand. She will be surely be missed.

I came today really to speak to City Council to bring some things forward for the record. It needs to be brought forward that I brought in petitions, there were 80 signatures, 80 signatures, and they're here. It says the Hill District residents, we the undersigned, being city residents, are against the Maglev plan for our district. We are in favor of any other district that would like to have Maglev in having it. Mr. Onorato and Mr. Ferlo have both expressed excellent points of this plan. Therefore, they should, we agreed, be given the first opportunity for Maglev. Know that any attempt to put Maglev in our district will be considered in direct opposition to our rights and preferences.

Now, I listened to the lady that spoke about you at City Council and I know it had to be someone that was being paid by you. I come down here and I deal with you. I know Valerie is not lovable and people have seen it. Some people say, why do you go down there and talk to Valerie like that, just like my husband and other people that have seen her say you have to see how nasty she treats her own kind.

Mr. Onorato, people are saying that you should not be making any kind of decisions at this time. You're getting

ready to go and you're making sure your district gets everything. You proudly told me back there, yes. But, you know what people, we have a Council that has three lawyers, with seven white men, that do not show the really true favor --

The Chair:

Please summarize.

Ms. Brown:

Oh, yes, you let her keep on talking about you, didn't you? You let her keep on bragging and lying. Those were lies.

You have Onorato the bully and, then, you have Ricciardi that promised me he was going to --

The Chair:

Please summarize.

Next speaker, please.

Ms. Brown:

He was going to put on the thing that the children could go free and he didn't and the Mayor still let you go through what you said.

The Chair:

Any other speakers, please.

Ms. Brown:

As long as someone is telling you how good you are, they can keep on talking. But, I speak for the people, not just me.

The Chair:

Thank you very much.

Any other speakers?

Hearing none, there are no Presentation of Papers.

We will move to Unfinished Business.

UNFINISHED BUSINESS

MR. O'CONNOR PRESENTS:

No. 2373 Communication from Mayor Tom Murphy submitting a veto of Section "Other authorizations" contained in the 2000 Operating Budget.

MR. FERLO moved to table the motion to override the Mayor's veto.

Mr. Ricciardi:

Clarification.

Mr. Ferlo:

No discussion on the motion to table, Mr. President.

Mr. Ricciardi:

I just want to know what the effect of tabling the motion to override is? Does that mean that the other authorized language becomes tabled? Is that the result?

Mr. Ferlo:

My motion is to table the motion to override the Mayor's veto, defacto.

Mr. Udin:

What motion?

Ms. McDonald:

Point of order, would the Clerk please clarify what is being presented before us?

The Chair:

Mr. Ferlo's asking just to table the bill.

Ms. McDonald:

Okay, that's what we want to be clear about.

Mr. Udin:

To table what?

The Chair:

To table the amendment.

Mr. Ferlo:

My motion on the floor, Mr. President, is to table the motion to override the Mayor's veto.

Mr. Udin:

There is no motion.

Mr. Ferlo:

I'm combining two motions. Do you want me to do them separately? I'll do them separately.

Mr. Udin:

That's right.

Mr. Ferlo:

Motion on the override.

The Chair:

Motion on the override.

Ms. McDonald:

Second for discussion.

Mr. Ferlo:

Now, the motion is on the floor. I'm making a motion to table the motion to override.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The bill is tabled.

The Chair:

We will move to Reports of Committee.

Mr. Ricciardi:

I did not vote on that. I'm calling for a roll call vote on that, Mr. President. I did not vote on that.

The Chair:

Okay, we'll have a roll call vote.

Mr. Ricciardi:

I'd like clarification on the floor, was there a motion made to override the veto?

Mr. Ferlo:

Yes.

Mr. Ricciardi:

The motion was made, was it seconded?

Mr. Ferlo:

Yes.

Mr. Ricciardi:

After that, was there a motion put forward to table the override?

Mr. Ferlo:

Yes.

Mr. Ricciardi:

I just would like to either caution or inform my colleagues what their vote should be on this, some of my colleagues who support the PFD. He made a motion to table the override.

The Chair:

This would support the PDF. This does not affect the PDF.

If you want a roll call vote, we'll have a roll call vote.

AYES:

Mr. Cohen

Mr. Diven

Mr. Ferlo
Mr. Onorato
Mr. Udin

Ms. McDonald
Mr. Ricciardi
Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

The motion is tabled.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2374:

Report of the Committee on Finance and Budget for December 21, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2371:

Resolution authorizing the City Clerk to enter into an agreement with Hill Community Development Corporation for Professional Services for the benefit of the residents of the City of Pittsburgh, Council District 6, at a cost not to exceed \$7,500.00 payable from city Council, Salaries Fund 1000, Org. 101100, Sub Class 010, Account 51100 Budget Year 1999.

Which was read.

Also,

Bill No. 2350:

Resolution authorizing the transfer of One Hundred Fifteen Thousand Dollars (\$115,000.00) from Emergency Medical

Services Organization Code 220000, Fund 1000, Account 511000, Sub-Class 010, Budget Year 1999, Salaries-Reg to Emergency Medical Services Organization Code 220000, Fund 1000, Account 542700, Sub-Class 120, Budget Year 1999, Equipment. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 2351:

Resolution authorizing the transfer of Thirty Nine Thousand Four Hundred Forty Eight Dollars (\$39,448) from Salaries to Uniforms within the Bureau of Fire, Department of Public Safety. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 2357:

Resolution transferring the amount of \$742,154 from various accounts citywide to the Pension Account, Fund 1000, Organization 999300, Sub Class 180, Budget Year 1999, Account 577100 in order to make up the shortfall received in the State Pension Aid. (PRESENTED BY MR. UDIN)

Which was read.

Also,

Bill No. 2358:

Resolution transferring the amount of \$160,000 from Finance, Salaries, Fund 1000, Org 107000, Subclass 010, Account

511000, Budget Year 1999 to Non-Departmental - City-wide, Judgments, Fund 1000, Org 999200, Subclass 170, Account 582200, Budget Year 1999. (PRESENTED BY MR. UDIN)

Which was read.

Also,

Bill No. 2359:

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property, designated as part of Block 115 E, Lot 40, in the 27th Ward of the City of Pittsburgh, to Walter R. Lorenz & Clara M. Lorenz, his wife, for the sum of \$500.00. (PRESENTED BY MR. UDIN)

Which was read.

Also,

Bill No. 2368:

Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with a medical facility(ies) and/or laboratory(ies) for the administration and evaluation of federally mandated and bargaining unit specified employee and applicant drug and alcohol testing. The total amount payable under said agreement shall not exceed Forty-Five Thousand Dollar (\$45,000).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

(Mr. Onorato voted no on Bill 2368)

The bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 2375:

Report of the Committee on Public Works and Environmental Services for December 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2356:

Resolution providing for an agreement by and between the City of

Pittsburgh, The Pennsylvania Resource Council (PRC), a Pennsylvania Non-Profit Environmental Organization, to develop, institute and Administer A Public education campaign in conjunction with The City's Recycling Program at a cost not to exceed \$88,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight **NOES** None

The bill has received the legally required number of votes and has passed finally.

MS. MCDONALD PRESENTED:

Bill No. 2375:

Report of the Committee on Housing, Economic Development and Promotion for December 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2272:

Resolution approving execution of a Maglev Infrastructure Support Cooperation Agreement by and between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh in connection with the Transfer of a portion of the City's Parking Tax Revenue to the Authority. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG) --- (HEARING HELD, TUESDAY, DECEMBER 14, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Udin:

Thank you, sir.

Colleagues, this is the bill that is back before us that the Solicitor promised she would attempt to find a way to construct a cooperation agreement that would facilitate this parking tax TIF. At this point, there is no alternative agency or authority that is willing to associate itself with this project. As a result, the Maglev project has no home given that we have received official notification from the

Executive Director of the Urban Redevelopment Authority that they have disassociated themselves as the partner in the cooperation agreement for this TIF.

So, the language before us is a proposal to develop a cooperation agreement between the Urban Redevelopment Authority and the City concerning this parking tax. The Urban Redevelopment Authority has expressly informed all members of Council that they are not to be included as a partner in this tax.

So, I would suggest, Mr. President, that until we have a clarification from the Solicitor that we hold this matter until next year when the Solicitor can give us a formal opinion on it.

Mr. Ferlo:

I would hope that this Council, with the amendment, will continue to go forward and vote in the affirmative in this resolution. Basically continue to state very clearly our support for the Maglev proposal and all that it hopes for in the future. I think we should continue to be supportive of this initiative. Whether it be from the point of the development, potentially we have a new industry in Pittsburgh or relevant proposal as it relates to badly needed parking or the possibility of a free transportation linkage throughout the city tying in housing, employment and cultural opportunities for those who need to have vehicular travel to key sites, be it Oakland, the Hill, the downtown, etc. I think we should continue, legislatively, as a Body, to show support in our hope that this project actually succeeds.

Having said that, on a practical level, I do not see how this project will

actually reach achievement without the actual administrative day to day support from the Mayor and his Administration. I think we should proceed with an affirmative vote, send a message to the Mayor and ask that the Mayor figure out whether or not, administratively day to day, this project is something he supports and is a priority.

I do not think it's fair for the Administration to put the developers and all those who invested their money, their time and their energy, their hopes and their dreams into this project into what, in effect, is double jeopardy. You can't, on one hand, say I'm going to be supportive, we give you authorization and an option on the (inaudible) Tent site for this project and, oh, by the way, you have to meet these 10 criteria, which they did enumerate. They are significant issues that comfort the success of this project.

But, don't, on the otherhand, then, kill it with a procedural process that's before us today. Either support it and stick to the Mayor's gun. The Mayor is saying he'd like to support this, however, there are a number of criteria that the development group has to meet. Let's not kill it now and let's not put them in double jeopardy. Let's be supportive, let's vote in the affirmative and let them be given an opportunity to meet the criteria that the Administration has established.

Thank you.

Mr. Udin:

The problem is, Mr. President, that it has nobody to play with. There is no URA to create a cooperation agreement with. It is not as though this Council is

unaware that the URA has asked for its name to be disassociated from this Cooperation Agreement.

What is before us today, let me read it. The first paragraph, a resolution approving execution of a Maglev infrastructure support cooperation agreement by and between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh in connection with a transfer of a portion of the city's parking tax revenue to the Authority. All members of Council have received correspondence from the Urban Redevelopment Authority indicating that they are not to be included in any such cooperation agreement.

This is, for the purposes of the public debate, a piece of republican pork legislation headed up by the republican head Congressman in Washington, DC from this area who's trying to bring as much highway transportation money to the area as he can. Whether or not the project makes sense, it is a project that was rejected by the adjacent Hill District community. It is rejected as a Cooperation Agreement by the Urban Redevelopment Authority. It will probably be rejected by the new County Executive, Mr. Jim Roddy who in his campaign references to it. He said he didn't see how the county was going to guarantee \$40 million dollars of the county's money behind this. It was rejected by the Port Authority study on the basis of being unfeasible as a transit system, being unready as a technology and being unsound as a financial feasibility project ready to go.

It is a \$150 million dollar train that will go 2,200 hundred feet, \$150 million dollars, \$40 million of which will be paid by city taxpayers, another \$40 million of

which will be guaranteed by the county to go 2,200 feet. If this is not insane pork legislation, I don't know what is.

It is the first step, as Councilman Ferlo has indicated, in a citywide Maglev system that would connect downtown and Oakland and Squirrel Hill and other parts of the Hill District in this big circle. This city has not decided that we want this kind of 30 foot elevated train whirling around our heads in this city. Most cities that have these kinds of elevated trains are trying to bring them down, to try to put them on the surface or to put them underground. Nobody is trying to build a train that's whirling around 30 feet in the air, especially citywide.

Behind it all, this is not a transit system after all. What it really is is a parking lot, a privately owned parking lot scam owned by the very same people who are pushing the so-called new transit technology. This is not new transit technology, it is a scam for private parking. The same ones who are pushing the technology on the parking scam.

It is a motion that is illegal, it should not be voted on today and it should be tabled. The President should not even entertain it since the President is aware that the Urban Redevelopment Authority has disassociated itself from this cooperation agreement.

Mr. Ferlo:

Point of order, Mr. President.

I just wanted to clarify to my colleagues, and I'm not criticizing the staff, but the bill that's on the table is not the bill that we should be voting on. The

bill that we are voting on is a substitute amendment that is on the table. It actually allows for a cooperation agreement to be entered into between Maglev, Inc., and, basically, a non-profit. So, I want to make it clear that the document --

Mr. Udin:

That's not the one I have in front of me. Is there a bill that I should be looking at, Mr. President?

Mr. Ferlo:

Well, I'm not responsible for that, Mr. Udin.

But, I just want to make it clear that the final vote, Mr. President, is on the amended bill by substitution that was approved this past Standing Committee meeting. While it's not the accurate bill that's on the table before our colleagues --

Mr. Udin:

That's all we can vote on.

Mr. Ferlo:

I wanted to clarify the actual bill that we're legally voting on.

The Chair:

This is the one that was amended last Wednesday or Tuesday?

Mr. Ferlo:

Yes.

The Chair:

All right. Let's read the amended bill.

Mr. Ferlo:

I'm not going to read this whole bill, Mr. President. I will ask that the Clerk please just make a copy so we're clear.

We've already approved the amendment by substitution. Councilman Onorato, I think, seconded the amendment or I made it, I'm not sure who made it. But, in any event, the final bill that's on the table, where there should be no debate, is the bill that was amended by substitution. I'm just clarifying that point. I don't have any direct response to Mr. Udin because for the last year we've been arguing and debating all those very points.

I think it's clear that the Administration, and I happen to agree with the Administration, the Administration gave this development group a means test to meet. I think we should provide them an opportunity to proceed and meet that, least of which some of the obstacles that Mr. Udin spoke about.

I agree with him that there are a number of issues that comfort the viability and the possibility that this project will continue, including the actions of the future County Executive. But, those are issues that we should provide an opportunity for this development group to meet.

I would ask for an affirmative vote on the real bill, the real Maglevite bill, which is on the table, hopefully now.

Thank you.

The Chair:

The staff passed out actually the wrong bill, which is in front of you. The bill now in front of you is the one we're voting on.

Any further discussion?

Mr. Ferlo:

Roll call vote, Mr. President.

The Chair:

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES Seven NOES One

(Mr. Udin voted no)

The bill has received the legally required number of votes and has passed finally.

MR. COHEN PRESENTED:

Bill No. 2377:

Report of the Committee on Lands, Buildings and Procurement for December 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2313:

Resolution authorizing the City of Pittsburgh to enter into a Cable Television Franchise Agreement with TCI of Pennsylvania, Inc., d/b/a AT&T Cable Services. (HEARING HELD DECEMBER 15, 1999)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill.

Mr. Cohen:

Thank you, Mr. President.

We have a couple more amendments. I'm sorry to do this, but they're necessary. They're on a single page in front of every member. What I'd like to do is just walk through them quickly and ask for Council's approval of these amendments. These are really kind of loose ends that needed to be tied up.

The first is dealing with -- if you recall, there are three institutional networks. The first one deals with the city institutional network, exactly what

AT&T's liability might be should that city network fail. That was really a negotiation between AT&T and Jacqueline Morrow. So, that is amendment number one.

Amendment number two, if you recall, we've talked about the institutional networks that this new agreement creates. There are three institutional networks. One is for the city buildings themselves 23 city buildings. The second is for the schools, libraries, and you'll soon see museums. The third one is for community groups.

Now, in the agreement there is a model called a community network involving a site in each of the 88 neighborhoods, that site to be chosen by Councilmembers. We want to make sure that should community groups use that community network or even if they don't, if they decide to have an institutional network that separates it from that 88 neighborhood model, the community network model, that they still would be relieved from the franchise fee. That's the purpose of amendment number two which says that revenues received by the franchisee, which means AT&T, from the provision of services over the facilities will not be subject to the franchise fee.

So, I want to make it clear that should the community groups join in that 88 neighborhood plan or if they don't, if they have an institutional network that's separate from that, they still would be relieved from the franchise fee.

The third is really in response to Councilman Ferlo's point last Wednesday that we define public museum because the second institutional network that I mentioned -- by the way, these

institutional networks, as everybody on Council knows, is a separate managed network for those facilities to communicate among themselves. This defines public museum so that it's clear what that is.

The fourth and final one is, if you recall, we wanted to make sure that the schools, libraries and museums and community groups were able to obtain aerial connections so long as it's not in the central business district and so long as there are no public safety considerations there. This really clarifies that so that even under an institutional network that's separate from the community network, they still would be allowed to have aerial connections. So long as, again, it's not in the central business district where all our utilities are underground and, number two, that there are no public safety considerations.

So, I'd like to make a motion to make these final amendments to the Cable Franchise Agreement.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Mr. President.

Let me just make a short comment here. That is I really would like to thank my colleagues on City Council for their support of the Franchise Agreement. They've really supported this all the way through. Frankly, their support for me and my involvement in this Agreement. I also would like to thank the Negotiating Team. We've virtually met every Wednesday morning at 9:00, since, I think, the

beginning of the year. I'll be happy not to go to these meetings after this.

I also would like to thank Jacqueline Morrow, who chaired this team, Rodney Akers who put untold hours into this Agreement, Guy Costa and, then, Dale Perrett from General Services and John Staudacher from CIS.

Also, the representatives from AT&T with whom we've fought long and hard, but we ended up having an Agreement and one that now becomes a partnership with AT&T, that includes Jim Mazur, Richard Ebenecker and Jeff Harshman. All three of whom are here today.

With this Agreement, the City of Pittsburgh, I truly believe, will become one of the most advanced and most wired cities in the country. As I've said before, this is not just about cable TV, it's about how we communicate with ourselves and the outside world. It's about business, it's about education and it's about connecting our residents with each other and, again, with the outside world.

With this Agreement, Pittsburghers, both with financial means and without financial means, will be able to connect to that world faster, better and smarter.

So, I just want to thank my colleagues very much for their support with this Agreement.

In many ways, this is not the end, but the beginning because we have to put this Agreement into place and that will involve, I'm sure, a great deal of time and effort. But, I think this Agreement is the

framework for being able to accomplish that.

Thank you very much.

Mr. Udin:

Thank you.

I want to have my comments brought forward from the Standing Committee relative to this bill from last week. I also want to repeat my appreciation to Councilman Cohen and all of the staff throughout the city and all the departments that worked on this, the CIS, the General Services Department and, especially, the Law Department in bringing about this groundbreaking Agreement between AT&T and the City.

One of the things that is key in this Agreement, especially for the public, in order to assure that the public has the best services at the lowest cost, it is absolutely imperative that we do everything we can to ensure that all of the providers of high-speed Internet services have access to the AT&T infrastructure or so-called super highway. That is where the competition occurs, that's where the prices come down, and that's where the innovation occurs.

Now, there's a provision in this Agreement that says that if AT&T shall provide access to other high-speed Internet services anywhere else in the country or perhaps in the world, I'm not sure, then they are required to provide open access here in Pittsburgh and that the City reserves the right to prescribe or to require open access in the City of Pittsburgh.

Now, it is my interpretation, and I would like either representatives of AT&T or Mr. Cohen or any members of the

Negotiating Team to please indicate at this time if they have a different interpretation of this. It is my understanding that by AT&T entering into this Agreement, they agree that if they provide services anywhere else, they can be required by the City. If the City so requires, they shall provide open access here in Pittsburgh. That is my understanding. I hope that that is also the interpretation of Councilman Cohen and the representatives of AT&T.

It is on that basis that I am pleased to be able to vote in the affirmative on this Agreement.

(See Addendum for Comments)

Mr. Cohen:

That is my interpretation as well Councilman Udin. As Jacqueline Morrow talked about last Wednesday, you can never know sometimes several years ahead, what actions a company is going to take. They've agreed to this language, they've agreed that the City of Pittsburgh has the right to prescribe open access under those conditions. So that even if AT&T would not go along with it because you can't predict conduct, we have the right to enforce this agreement. So, my answer to you is, yes. This team from AT&T has agreed to the City's right to prescribe open access under those conditions. We will hold them to that agreement.

Mr. Ferlo:

I voted no last week and I will continue to vote no today on this Agreement, notwithstanding the good work of my colleague and the

Administration, the Solicitor, Mr. Akers and, certainly, others who are involved.

Basically, I think we blinked too early. I voted last week in opposition to this Agreement. I still believe strongly that we should have explicitly stated and got an agreement regarding this issue of open access. It is true that I think the Committee tried their best and there are several options there. Including this notion that if they do it somewhere else or if, in the case of the Portland statute, it is upheld by the highest court, it's already been held up by a super high court and it's now before an even higher court.

But, basically I think we should have basically statutorily listed in this agreement open access and not left it open to some future legal battle that might ensue. I still think the language is ambiguous, notwithstanding the comments made by the Solicitor.

The Agreement also is for too long. I realize that maybe some agreements have been signed for 15 years and this Committee wanted 5 and compromised at 10, but it's just too long of an agreement. It's not a cable renegotiation or cable renewal agreement, it is something far more reaching, of far more impact on the daily lives that we all lead than the notion that we're just renegotiating a cable contract. This is not a cable contract ala Warner Cable or even TCI, it's something much more radically different especially if we look at the technological advances that we could possibly see in just the next two or three years alone.

What could happen in the next few years in the 10-year term of this Agreement time wise would be the

equivalent of everything that was discovered or invented from the cotton gin of 1820 to probably the Westinghouse Air Break to the splitting of the atom. That span of time is going to be condensed down to as short as the next few years.

When we talk about the technological equivalent of cable and access and the information super highway, I believe that we are putting a blockade in the road to the information super highway. I think there should be a shorter agreement, it should not be 10 years, it should be 3 years. I do very strongly believe that we should have followed other municipalities, like (inaudible) County, Florida; like Portland, Oregon and explicitly demanded and stated open access.

Thirdly, the reason why I'm voting no is we have no financial information. No one has yet spoken about, and I'm not criticizing AT&T, they will be making a major substantial investment in the upgrading of this system in order to do all the things they said they're going to do in this Agreement. There is a cost associated with that. I think it would be reasonable and prudent for this Council to be able to tell the ratepayers in the City of Pittsburgh, certainly not down to the dime, but I think we should be able to say reasonably what we expect future cable rates to be. I think the City ratepayers, more than 160,000 or 170,000 of them, should generally know that if we buy into this agreement and require the AT&T to do XYZ that's stated in this Agreement, we can reasonably expect rates to be doubled, tripled, quadruple. We have no information. I'm disappointed that we have no information from AT&T on what their capitalization costs are going to be, how much is going

to be borne by the stockholders versus the ratepayers.

In a way, this is like a public utility commission rate case before us, whether it be Duquesne Light or the telephone company, in this case it's cable, it's AT&T, but, the principles still apply. I think there should have been some financial information that the Committee should have ascertained from AT&T regarding its capitalization cost and its investment cost.

I still don't like the fact that we don't have a cafeteria menu on cable. We saw the racquet that TCI was engaged in. TCI would own most of the programming that they, then, would buy; they would mark it up a second time and, then, pass the cost onto the ratepayer who's paying the cable bill. We should have had some language or some way to control this programming cost which give rise to large rate increases that we now no longer have an ability to have any say so over because of the FCC taking that power away from us under cable deregulation.

So, yes, the Committee worked very hard. Yes, our colleagues fought hard for what they believed to be in the best consumer interest. But, we blinked too early and this agreement is too long. It should explicitly demand open access. I think we should have been reasonably able to explain to ratepayers what this agreement cost. We can do none of that.

Mr. Diven:

I just want to make a few comments on the Cable Franchise Renewal and offer my thanks to

Councilman Cohen and the team that negotiated this.

I disagree with a couple of points. I think that ultimately if we would have gotten into a more heated debate with the AT&T Cable Service Company, we might have put at risk the \$40 million dollar upgrade that they're going to do for the citywide system.

I think there are protections built into the Agreement that protects not only the City itself, but the cable ratepayers as well. One being that there is a clause in the Agreement saying that if they introduce any new technology in any of their other markets, that the City of Pittsburgh has to have that upgrade as well.

Additionally, I think the idea of open access, at least from the presentations made from AT&T, the fact that they are not going to renew their exclusivity clause with their At Home Internet service provider that they're currently using. By the time this build up takes place in the City of Pittsburgh, and it should be over the next 30 months, we'll be in a situation where I would think the natural process and that business would lead to open access already.

I just did want to reiterate that I think that under the circumstances and looking at the situation with the compromises that we're forced to make, I think we've gotten probably the best possible deal that we could have gotten with AT&T. I did want to thank Councilman Cohen for his hard work. I know he put a lot of effort into representing Council's interest in the negotiations as well.

Thank you.

Mr. Cohen:

Thank you and I want to thank the comments of Councilman Diven, I appreciate it.

Just a quick response to Councilman Ferlo. On the open access issue, I am proud that we went as far as any municipality has gone on open access with AT&T in terms of getting AT&T to agree to a provision that would ultimately result in open access. So, if we went the way Councilman Ferlo said, then we would not have an agreement. We would not have any of the benefits that come with this agreement including a \$40 million dollar upgrade, including getting all of our senior centers and all of our recreation centers wired with cable modem access, including having all the schools and all the libraries and all the museums wired for their own managed institutional network, including having the equivalent of \$5 million dollars over the term of the franchise for public access for PCTV and that organization, including the City's managed network where we'll be able to communicate with each other better and much faster. All of that would have gone down the drain had we mandated open access the way Councilman Ferlo had suggested.

That might be the way to go for some people, that's not the way to go in my view. That's not the appropriate way to go. The appropriate way to go is to sit down and negotiate a deal which is what we did, which will bring Pittsburgh, not only millions of dollars in benefits, but to be able to wire this City.

I truly believe that this Agreement is more important to the City of Pittsburgh than Plan B. It will allow, for many years in the future, residents and businesses and schools to be able to communicate in a much faster and more efficient way. So, I wasn't ready to say good-bye to all of that because of open access.

On the issue of technology changing, Councilman Ferlo is absolutely right. Technological advances come so much more quickly now than they did even 10 years ago and certainly in this field. This is a field where technology progresses very quickly. But, there's a protection in this Agreement and that is as a state-of-the-art provision that says that should some new technology be introduced anywhere in the country, and we can't even predict what that technology might be, then it has to be introduced here in the City of Pittsburgh as well. That's the best way to protect yourselves when it comes to technological advances.

Finally, the length of the term of this contract of 10 years, AT&T wanted 15 years. Their argument was this, their argument was if we're going to give the City of Pittsburgh all these benefits, all the ways that I've just enumerated, and give you a \$40 million dollar upgrade and wire your schools and libraries and everything else, we want a 15 year agreement, we want to secure that agreement. We said no. Initially we wanted a five-year term, recognizing that that was an opening argument. In the end, we compromised a 10. It's shorter, it's five years shorter than the current agreement. It's not as short as I would ultimately have liked it, but this is a negotiation. I'm firmly convinced that this is not a long term. After looking at

franchise agreements from around the country, most of them are 15 years, some of them are 10 years and, occasionally, you'll find one or two that's 8 years. But, we're definitely in the shorter side of agreements around the country for a city this size.

Mr. Ricciardi:

Thank you, Mr. President.

Regarding this matter before us, Bill No. 2313, if the Clerk could please make it part of the record that I did not take part in the deliberations or discussions on this matter. I'll be abstaining because of a conflict of interest.

Thank you.

The Chair:

Again, I would like to echo what other Councilmembers said, especially to Mr. Cohen for his leadership. I agree with most things that were said. I think Mr. Udin, I'm presuming that the open access is available. I think it was a very good compromise. I want to note, though, that Mr. Akers here did a great job and he's in the audience. We want to thank him on behalf of all of us and all the citizens of Pittsburgh. AT&T and TCI people, I think you worked a very fair Agreement.

A couple of comments, the 10 year Agreement, I think is very fair. If anything, it might even favor us because by the time this is all completed, it would take almost three years. So, whether it be open access or some of the questions we have, they will have a short window of opportunity. I believe that is a card in our favor for anything that may be in dispute.

I believe it's actually short for the investment. So, not many companies would agree to putting a \$40 million dollar investment into something that may only pay back in 7 years.

But, I believe coming to Council, lead by Mr. Cohen, I believe we really brought this thing to a head and made it a very fair deal to the people of Pittsburgh.

I'll just end on one comment which I think wasn't in there until it came to Council is making it available to all schools and all the children of our city and, I think, lead by Mr. Ferlo to make sure parochial schools were involved and supported by all Councilmembers. So, I believe everyone has some handwriting on this and we all can share in what I think is a very, very fair Agreement.

Again, one last thing. Thank you on behalf of all of us to Mr. Cohen for his leadership.

With that said, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Six NOES One

(Mr. Ferlo vote no & Mr. Ricciardi abstained)

The bill has received the legally required number of votes and has passed finally.

MR. DIVEN PRESENTED:

Bill No. 2378:

Report of the Committee on Public Safety Services for December 21, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2352:

Resolution providing for an Agreement or Agreements with a consultant or consultants for the provision of professional services at a cost not to exceed \$25,000.

Which was read.

Also,

Bill No. 2353:

Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of uniforms, protective equipment and related accessories for the Bureau of Police at a cost not to exceed \$221,200.00. Which was read.

Also,

Bill No. 2354:

Resolution providing for a Contract or Agreement or the use of existing Contracts or Agreements to purchase equipment for the Bureau of Emergency Medical Services. Total cost shall not exceed \$115,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills.

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Will the Clerk please call the roll?

Ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

The bills have received the legally required number of votes and have passed finally.

Mr. Ferlo:

Point of order, Mr. President.

Motion to make all the bills pass finally, effective date December 31, 1999.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Thank you, Mr. President and members of Pittsburgh City Council.

I would just like to take this moment to wish our esteemed colleague, Dan Onorato, the best of luck and many good fortunes in his new job as Controller elect. I also think that the friend of this Legislative Body summed it up the best when she had her opening remarks and she stated that Mr. Dan Onorato took care of his constituents from the North Side before leaving this esteemed Body. I think that's true that Dan always looked out for his constituents of the North Side first and did a wonderful job at representing all constituents throughout the City of Pittsburgh especially quality of life issues.

He'll be sorely missed on this Body and I'm sure that the City of Pittsburgh thanks him.

Thank you.

Mr. Ferlo:

Mr. President, I know my colleague, Councilman Onorato, future Controller Onorato is in a hurry to get out

of here because there's another swearing in for a number of county colleague and I wish them well.

We've all had the pleasure, notwithstanding any bickering moments that we may have had over eight years and, certainly, we've had a couple of spirited moments, Dan has been very effective as a city legislator. I'm very proud that the voters, county wide, are moving him up on the ladder. I think he's going to be a great County Controller partly because of his roots here on Grant Street and his roots in his own North Side communities.

Dan has been very passionate about his beliefs. We've known that each and every time that we had to debate a resolution or ordinance. I think (inaudible) none, maybe 99 percent voting record, I think every resolution and ordinance that's come out of this Council has been constructively altered or authored by my colleague to the credit of himself and his staff of which he's had a great staff over the years, I don't know about Dorry and some of her poems. No, Dorry, in particular, and Derrick and Lynn and others that have worked for him in the past have been a great part of his team over the last eight years. I think they'll all be missed.

Working with Dan has not always been easy because he's spirited, we have similar blood. I'd have to say, though, that Dan represents a compassionate conservatism. Usually, I'd be critical of that because oftentimes I think some of the so-called conservatives that describe themselves in that way, are not sincere. I think Dan's compassionate and conservatism is sincere. I think it goes back to his own family morals and his

family roots and beliefs and what he believes is in the best interest of his constituents.

I don't think anybody on this Council can argue that we've had somebody who's fought hard for his district in a very parochial way. Whether it's playground safety or cleaning up a street or dealing with a controversial zoning issue where neighbors are fighting, he's fought long and hard, on a parochial fashion, for his district, that's been part of his job. At the same time, I know he's helped me and he's helped others on this Council rise above parochialism to vote on citywide key issues that either this administration or past administrations have been supporting.

I just want to thank him for his good council, his friendship. I hope we continue to be friends because we need a lot of favors over there in the county. The Controller deals with the RAD board and the authorization. I think Dan's going to be able to contribute a lot. I'll use the example of the Soldiers and Sailors fight where we wanted to make sure that we maintained an important historic structure. As well, an amenity for city residents and county residents, Dan's intervention on that issue led to needed repairs. I think now we see the Soldiers and Sailors in a much better financial footing than they had been in the past.

I think Dan's leadership with the RAD funds now and in the future is going to help not only entities and institutions like that, but I think he'll use his legal and his CPA skills in such a way to instill some confidence. Whether it be physical audits or performance audits, I think a lot of people can realize that they have a

friend in the County Controller in the future. He's going to proudly fight for the city and the county constituents.

Thank you.

Mr. Cohen:

Thank you, Mr. President.

I also want to wish our colleague, Dan Onorato, the best wishes and tell him that I will personally miss him.

I think the first issue that Dan and I worked on, if I recall, was to add more police to the budget and try to find ways to actually fund those police. Perhaps one of the things that we'll miss on this Council is his understanding of the city budget, both operating and, especially, perhaps the capital budget. I think we're in trouble for the 2001 budget, Mr. President. Not just because we have a structural deficit, but because we're going to lose Dan Onorato who knows that budget in and out and has been able to find ways to solve problems through that budget.

Beyond the budget, Dan has been just a (inaudible) advocate for improving quality of life in the City of Pittsburgh and a successful one. I think what voters want, what citizens want in their elected representatives is not just somebody who's smart and somebody who can come up with creative solutions to problems, but somebody who really believes in what they do. Dan Onorato believes it from his gut and from his heart in this job and, I'm sure, in the county controller's job as well. Often that results in a raising of temperature of a raising of volume here in Council Chambers. But, where it comes from is it comes from his gut. He believes

in what he does. For that reason, I truly respect and admire him.

We have been on different times sometimes because he's a little more conservative and I'm a little more liberal. But, the motivation has been one that's directed toward, not only his district, but also improving the City of Pittsburgh.

I will miss him personally so I wish him all the best of luck.

Ms. McDonald:

I can't let this go without making some comments since this has been my neighbor for a couple of years. In fact, after our little blow-up -- if it weren't for Dan Onorato, I never would have made the PG Cartoon Editor. That's an honor. You made it big time when you make the cartoons and I have to thank you for that, Dan. I laminated it.

I just want to say that most people had asked me, you're sitting beside that Onorato. I said, yeah. He said, oh my God. I said, no, he's a nice guy, he let's me read my stuff here and he doesn't bother me and every now and then we sidebar.

But, Dan, it's been a pleasure being your neighbor here on Council at our Tuesday Legislative Meetings. In fact, it's been very nice, very nice sitting beside you and getting some information. We share information every now and then and we say what's the vote going to be and we say, oh, God, Gene Ricciardi's going down there and we don't know what Gene's going to do.

It's been a pleasure, Dan, and I wish you all the best.

One thing I do have to respect about Dan is that he's an excellent number's cruncher. I found that out with Scott. I found that out with our previous budget director, who knows if he's going to be back, I don't know. But, Dan is an excellent numbers cruncher and he is eminently qualified to be in the county controller's position. In fact, it's very unique, the skills that he brings, his CPA as well as his legal background. He is an attorney.

Dan, no matter how many comments that have been made, you need to be proud to be an attorney. A law degree is a good one.

I wish you all the best. I wish your family the best. Don't be a stranger to this Council Chambers. I know you're going to miss us. Say it Dan, say you're going to miss us.

Mr. Onorato:

Absolutely.

Ms. McDonald:

There you go.

But, don't be a stranger and keep us informed. Again, it's nice to have a colleague that we can dialogue with on the other side of Grant Street.

Congratulations and thank you for sharing a space with me.

Mr. Udin:

Thank you.

I want to associate myself with all of the accolades that have been referred toward Dan Onorato. I can't go back as far as some other colleagues in listing all of his accomplishments because I'm relatively new on Council. But, since I have been here, I can say that if I had to try to boil down my experience with Mr. Onorato, it would be characterized as one of respect, that's what I have developed. The ideological differences fall by the wayside when it comes down to the issue of the respect and integrity that I believe is associated with Mr. Onorato and the way he approaches his work.

We will miss you here on Council. It will be very lonely over there at the Controller's Office, you won't have us to kick around. When you make a motion, there'll be nobody there to debate it with you. You'll be over there all by yourself on the king of the mountain. We'll miss you here and don't make yourself a stranger.

Mr. Diven:

I know there are a lot of great things being said about Mr. Onorato. Unfortunately, I've only served two years with him. Maybe he did all the work before I got onto Council because the last two years, all he's done is coast. As for missing him, I'm sure that's not going to be a problem for any of us because if we start to miss Dan Onorato, I'm sure you can catch him on PCNC's night talk at least three times a week.

On a serious note, I did want to thank Dan for taking the time to work with me and kind of help me make my adjustment to being a member of Council. I appreciate the time that you spent with

me. I didn't listen to most of what you said, but it was still a good effort put forth on your behalf. So, thank you. I'm sure we're going to be seeing a lot of you in the future.

The Chair:

I did have some comments for all of you since it's our last meeting. But, since Dorry Lang did her part, I can't match that so I'll just stick with Dan.

Again, he and I kind of got baptized together in this game. We had both never been in politics before and we both ran together at the same time and we took office together. I remember our first weekend on the phone all night and we said what the heck did we get into? We thought we were here -- we really, again, got baptized under fire together.

I believe Dan has done an outstanding job. I don't think anybody can match his record for not only citywide issues, but for his district. I doubt if he could ever play poker because when he comes in your office, he's either red with passion or laughing for, do you believe what they said or did. He never hides it very well. In effect, he never tries to.

Again, I hope you have a TV over there. You can tune in once in a while if you miss us or maybe we can run over there and see you.

But, I think the city's loss is the county's gain. I think it's an outstanding position for him. He has the qualifications, the accounting degree, the law degree and, with all due respect, my son is a lawyer and Dan's a lawyer so I can't tell too many lawyer jokes anymore.

We really will miss you. Again, I want to thank you on behalf of not only the Council, but all the people of the City of Pittsburgh. You have a wonderful family, a tremendous family. Your mother, seeing her cooking at all of your outings, whether it's a fundraiser or a get together and your children. We will miss him, but we hope you stay close.

With that said, I would like you to have the final word of this meeting.

Mr. Onorato:

I appreciate that.

First, I'll ask Linda to get a copy of the transcript so I can remember what was said today.

Before I comment on my eight years here, I may as well end it by taking care of some constituents. They walked out, but I want to just recognize two of the individuals that missed the proclamation, that was Brendan and Maurice Humphries from Northview Heights. They had to leave, they came in late and they're a part of the team and I want to thank them for coming down today.

I also want to thank all of you for the comments here today. But, more importantly, it's been a great eight years for me. While you commented on my background as a CPA and a lawyer, it will fit well in the controller's office. I can assure you, and I say this with all sincerity, the best education that I received were the eight years here. I mean that in a lot of ways.

One of the advantages of having Council by district now, I came from the

North Side. But, over the eight years, I really got to appreciate the other eight districts and the other eight points of views that you brought to the table. I think all of us can learn from each other because we're a product of our upbringings and sometimes we might not have the advantage of certain areas or certain points of view and I've learned a lot. There's probably a few votes that I would have changed over the eight years. But, at the time, they sure seemed like good votes. I know that I get passionate at times on some of the issues. Some of that has to do, I think, with being 100 percent Italian. You wear it on your sleeve sometimes and then you show your emotions.

But, I want to really thank the North Side voters. No matter what I do in my career as an elected official, politician, nothing will ever top the night that I first got elected back in 1991. That was a joy that I shared with my family and friends and I'll never forget and the North Side voters gave me that opportunity to represent them for eight years especially with an overwhelming re-election victory four years later. I don't take that for granted. So, for the North Siders who are watching, I have to thank you for giving me this start that allowed me to (inaudible) into the controller's office for the County. It was because of that North Side base and the start that you gave me. So, I appreciate that from all my heart and thank you.

To my colleagues here, if there's one regret I have is that after we finished a lively debate, and we had many of them here, I had just as many with Councilman Udin and Councilwoman McDonald and Jimmy Ferlo and Gene Ricciardi and so on and all of you, we were all part of different debates. The only bad thing about that and

the thing I regret is when I'm out campaigning or walking around in the districts or going through the city, that the people somehow interpreted that we don't like each other because of that debate. For anyone listening, I can assure you I have nothing but the utmost respect for every one of my colleagues, from Councilman Udin all the way down the aisle to Council President O'Connor. Those debates are truly debates that stay in this Chamber.

One of the things I enjoyed about being on City Council was that you could actually debate at the top of your lungs here and two seconds later be behind those doors and you're talking about the next issue. It truly was on the issue, it wasn't personal. For anyone that thought it was personal I have to tell you, sorry, that's not what it is.

Councilman Udin, I consider a very, very good friend and I have the utmost respect for him as I do with all my colleagues. To somehow think that because we disagree on a particular issue or philosophy that we don't like each other is just not true. I can tell you that the best debates that I had are with individuals that don't agree with me. They challenge you and it makes you think about what you're arguing and it allows you to explain and try to convince them of your ideas. But, the bottom line was that somehow the nine of us always figures out how to move forward after a lively debate. I really believe that the 9 or 10 or 11 individuals over my 8 years that I have served with always had the interest of the city at heart and that's what made me feel good.

So, I'll end by saying thank all of you for giving me the opportunity to serve here and to serve the City of Pittsburgh.

But, more importantly, for showing me different views and different points of views of the city in different areas.

I look forward to moving over to the Controller's Office with the County. I can tell you that I will be very visible and vocal. One advantage is I don't need to get a second vote over there, I can just make a decision and move. But, feel free to call me, any one of you at any time for any of your constituents or any of the problems or issues that I can help with. I still love this city, I love this region and I will do whatever I can to help all of us move it forward.

Thank you, Mr. President.

The Chair:

Again, thank you very much for everything you've done.

Mr. Udin:

Just one final piece of business, Mr. President.

John Burkoff, who was appointed by Council to the Citizen Police Review Board, has resigned effective October 31st. I wish to submit the name of Reverend Johnny Monroe.

Therefore, I make a motion to submit the name of Reverend Johnny Monroe, Pastor of Grace Memorial Church in Pittsburgh to serve as a board member of the Citizen's Police Review Board to fill the vacancy created by the expiration of Mr. John Burkoff's term which became effective October 31, 1999.

MR. FERLO seconded the motion.

The Chair:

Is this submitting or voting?

Mr. Udin:

Well, it's submitting it to the Mayor. The Mayor makes the final appointment.

The Chair:

I have the utmost respect for him and I understand he's an outstanding gentleman. But, does Council want to interview him or hear his views or anyone else who may come in front of us? I think it's a very, very important position. Again, I understand he comes with great credentials. I would prefer interviewing him and also I'd like to also have a briefing on the Review Board since we lost the director and we lost a chairman, just kind of an update on it.

Mr. Udin:

I'd be glad to invite Dr. Monroe. If we can approve it pending Council's confirmation.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Since this is the last meeting, I wanted to remind the public on behalf of yourself and all of the colleagues that in the Clerk's Office that the inaugural ceremony of the next City Council will be January 3rd at 11:30 a.m. There will be the swearing in of a new colleague,

Barbara Burns from the North Side replacing Councilman Onorato. That's a public proceeding. These Chambers are open to the public.

We are planning a little bit of a ceremony in the lobby. We're turning the lobby into a little bit of a millennial reception following, actually it will proceed during and following the inauguration January 3rd. I just wanted to reiterate to the public that this is a public event. The public is invited to come down January 3rd at 11:30 to participate in the swearing in of our new colleagues and the election of our new officers. As well, we will have a ceremony in the lobby of the City County Building. The public is invited.

Thank you.

The Chair:

Again, the swearing in will be Monday, January 3rd at 11:30 in Council Chambers with TV's set up outside in the vestibule downstairs, the hallway. So, we're inviting a lot of guests and the public is invited. I think there's five members being sworn in along with Controller Flaherty who will be sworn in the same day. Again, this will be the kickoff to the new millennium and we invite the public to be here.

Also, with that said, the next scheduled meeting of Council will be January 11th at 10:00 a.m.

Any other discussion?

Mr. Udin:

If other Councilmembers promise to do the same, I will spear Council my 25 minute millennial speech if nobody else makes one.

The Chair:

Motion to excuse the absent member.

MS. MCDONALD moved to excuse the absent member.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn the final meeting of the century.

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And, on the motion made by Mr. Onorato, the meeting was adjourned.

ADDENDUM

Mr. Udin's comments on Bill No. 2313 can be found in the Standing Committee Meeting minutes of December 21, 1999.